Index

ACCIDENTS ARISING OUT OF AND IN COURSE OF EMPLOYMENT	ADMINISTRATION, PRACTICE AND PROCEDURE—Cont'd Answers, this index
Generally, 6:1 to 6:7 Accident, defined, 6:6	Appeal and standard of review, 11:17
Arising out of, defined, 6:4 Causal relationship between employment and injury or	Assignment of benefits, 11:16 Attachment, exemption from, 11:16
death, 6:2 Course of, defined, 6:4	Attorney's fees, 11:14 Burdens of proof, 11:11
Cumulative stress and trauma, 8:19	Compensation, alteration, amendment or revision, 11:13
Death, 6:1 Definitions	Complaints and Petitions, this index
accident, 6:6 arising out of, 6:4	Costs, 11:14 Courts, generally, 11:8
course of, 6:4 injury, 6:5 premises, 6:7	Guardians, 11:10 HIPAA exception for workers'
Preexisting causes or conditions and subsequent conduct or	compensation, 11:19 Insurance generally, 11:3
events, 6:3 Premises, defined, 6:7 Scope of risk doctrines, 6:4	other insurance, coordination with, 11:18
Stress and trauma, cumulative, 8:19	Judgment, reopening or modification, 11:13
ACKNOWLEDGMENTS	Judgment liens, discharge and default, 11:15
Employee acknowledgment of representation, 13:74	Juries, 11:12 Notices, 11:5
ACTS OF GOD	Offenses, 11:2
Defenses and defense-related matters, 8:17	Ombudsman program, 11:1 Penalties, 11:2
ADJUSTER WORKSHEETS	Personal representatives, 11:10
Forms, 13:52 to 13:55	Presumptions, 11:11
ADMINISTRATION, PRACTICE AND PROCEDURE	Reports, 11:4 Settlements, 11:7
Generally 11:1 to 11:19	Waiting period 11.6

AFFIRMATIVE DEFENSES

Generally, 11:9

ALIENS

Employments covered by Act, 3:6

AMERICANS WITH DISABILITIES ACT

Generally, 1:5

ANSWERS

Generally, 11:9, 13:22
Affirmative defenses, 11:9
Retaliation complaint, 13:27
Time for answering, 11:9
Tort claim with constitutional defenses, employer's answer, 13:25

APPEAL

Generally, 11:17 Certiorari, 11:8 Standard of review, 11:17

ARBITRATION

Generally, 1:6

ARISING OUT OF

Accidents Arising Out of and In Course of Employment, this index

ASBESTOS

Evidence required in support of claim asbestos-related illness, 13:105

ASSAULT

Defenses and defense-related matters, **8:18**

ASSIGNMENT OF BENEFITS

Generally, 11:16

ATTACHMENT

Exemption from, 11:16

ATTORNEYS

Employee acknowledgment of representation, 13:74

ATTORNEYS—Cont'd

Employment of attorney application, 13:17, 13:18 order approving employment, 13:19

Fee approval request, 13:117 Solicitation of employment, 11:2

ATTORNEY'S FEES

Fee approval request, 13:117 Limitation on amount, 11:14 Maximum fee schedule, 13:58

AUTOMOBILE ACCIDENTS

Tort action against third parties, 2:5

AUTOPSIES

Death following injury, 10:2

AVERAGE WEEKLY EARNINGS

Defined, **10:6**

AVERAGE WEEKLY WAGE

Defined, 10:7

BILL OF RIGHTS

Employer bill of rights, 11:1

BILL SCREENING

Application for certification bill screening and utilization review, 13:77

BLACK LUNG BENEFITS

Generally, 13:134 to 13:146

Additional evidence, operator response to schedule for submission of, 13:149

Changes that may affect benefits, reporting, **13:146**

Claim for benefits

generally, 13:135

operator's response to notice of claim, **13:150**

survivor's claim for benefits or survivor's notification of beneficiary's death, 13:151

Index-2

BLACK LUNG BENEFITS BLACK LUNG BENEFITS -Cont'd —Cont'd Coal mine work and other Representative payee report, employment, description of, 13:137, 13:141 13:144, 13:145 Representative's fee, application for approval, proceeding Federal coverages, 12:5 conducted by Dept. of Labor, Instructions for completion of 13:147 form, 13:138 School official, certification by, Medical development information 13:148 summary, miner's, 13:135 Survivor's claim for benefits or Medical information, miner's survivor's notification of benauthorization for release, eficiary's death, 13:151 13:139 Termination, suspension, reduc-Medical necessity, certification, tion or increase in benefit 13:134 payments, notice of, 13:142 Miners claim for benefits, 13:135 BURDEN OF PROOF coal mine work and other Generally, 11:11 employment, description Preexisting injuries or infirmities, of, 13:144, 13:145 8:7 employment history, 13:136 Radiation exposure, 7:5 medical information, authoriza-Willful misconduct, 8:1 tion for release, 13:139 **CAMP LEJEUNE FAMILY** Notice MEMBER PROGRAM survivor's claim for benefits or APPLICATION survivor's notification of Federal coverage forms, 13:168 beneficiary's death, 13:151 Forms, 13:168 termination, suspension, reduction or increase in benefit CANCELLATION payments, 13:142 Notice of, **13:65** Operator response CARPAL TUNNEL SYNDROME notice of claim, 13:150 Cumulative stress and trauma, schedule for submission of 8:19 additional evidence. 13:149 Work-related, evidence required in support of claim, 13:110 Payee representative payee report, **CASUAL EMPLOYEES** 13:137 Exempt employment, 4:3 request to be selected as payee, CAUSAL RELATIONSHIP 13:143 Physician8217s/medical Between employment and injury or death, 6:2 officer8217s statement, 13:152 Injuries while working at home,

Report of arterial blood gas study,

13:140

8:31

Legal and medical tests, 6:2

CERTIORARI

Appeals, 11:8

CITY EMPLOYEES

Exempt employment, 4:5

CLEAR AND CONVINCING EVIDENCE

Cumulative stress and trauma, 8:19, 11:17

CLIENT INTERVIEW

Initial client interview information, 13:51

COAL MINERS

Black Lung Benefits, this index Pnuemoconiosis compensation, 7:4 time limitations on claims, 8:14

CO-EMPLOYEES

Attack by co-worker, **8:18** Employee's tort action against, **2:4**

Negligent co-employees, 9:4

COMING AND GOING

Street risk doctrine, 8:30

COMMON CARRIERS

Exempt employment, 4:9

COMPENSATION

Alteration, amendment, or revision

generally, 11:13

petition, **13:44**

Coal miners, pnuemoconiosis, **7:4** Death, compensation payable only

to residents, **8:8**Default in payment of periodic

compensation, 11:15

Federal Employees, this index Longshore Workers, this index Occupational Diseases, this index

Periodic amounts, commuting to lump sum payment, **13:45**

COMPENSATION—Cont'd

Petition for alteration, amendment or revision, **13:44**

Tolling time limitations, payment of compensation, **8:13**

COMPLAINTS AND PETITIONS

Generally, 11:9

In the alternative, negligence or workers' compensation, 13:21

Death

FELA, 13:82

general maritime law and Jones Act (federal court), **13:84**

Entitlement to workers' compensation and benefits, employer's petition for determination, 13:46

FELA

death, 13:82

personal injury, 13:83

Outrage, employee's complaint, 13:24, 13:26

Retaliation, 13:26

Settlement, petition for approval generally, **13:4 to 13:10**

amendment to petition, 13:15 workers' compensation settle-

ment based on settlement of third-party action, 13:49

Verification of complaint, 11:9

Workers' compensation, **13:20**, **13:26**

Wrongful death, complaint against third party, **13:23**

CONCURRENT INJURIES OR DISABILITIES

Generally, 10:13

CONFLICT OF LAWS

Extraterritorial application and other coverages, **5:3**

CONSTITUTIONALITY OF ACT

Generally, 1:2

CONSTRUCTION AND INTERPRETATION

Liberal construction, 1:3

CONSTRUCTIVE TERMINATION

Wrongful termination actions, 2:8

CORPORATE OFFICERS

Exempt employment, 4:13

COSTS

Generally, **11:14**

COUNTY EMPLOYEES

Exempt employment, 4:5

COURSE OF EMPLOYMENT

Accidents Arising Out of and In Course of Employment, this index

COURTS

Generally, 11:8

CUMULATIVE STRESS AND TRAUMA

Defenses and defense-related matters, 8:19, 11:17

DEATH AND DEATH BENEFITS

Generally, 10:1, 10:16

Accidents arising out of and in course of employment, **6:1**

Accrual of rights of surviving dependents, **6:1**

After disability, 10:15

Autopsy, 10:2

Causal relationship between employment and injury or death, **6:2**

Claim for damage, injury, or death, **13:170**

Claim for injury or death, 13:169

Common law spouse, **10:17**

Compensation payable generally, **10:16**

only to residents, 8:8

DEATH AND DEATH BENEFITS —Cont'd

Death on the High Seas Act, this index

Dependency

in fact dependency, 10:19

partial dependents, 10:19

presumption of, 10:18

Eligible dependents, 10:17

Employer's petition for approval of death benefits, **13:47**

FELA complaint, 13:82

Findings of fact, conclusions of law, and final judgment, 13:48

Formula for computing benefits, 10:16

Jones Act. 13:84, 13:85

Maritime law. 13:84, 13:85

Partial dependents, 10:16, 10:19

Presumption of dependency, 10:18

Radiation exposure, **8:15**

Redistribution of benefits, 10:20

Remarriage, termination of benefits, **10:20**

Termination of benefits, 10:20

Time limitations on death claims, 8:12

Wrongful death, complaint against third party, **13:23**

DEATH ON THE HIGH SEAS ACT

Generally, **12:2** Complaint, **13:85**

DECEIT

Fraud or Deceit, this index

DECLARATORY RELIEF

CGL insurance policy, workers' compensation issues (federal court), 13:173

Personal umbrella liability policy, workers' compensation issues (federal court), 13:174

DECLARATORY RELIEF —Cont'd

Workers' compensation, employers' liability and CGL insurance provisions, workers' compensation issues (federal court), 13:172

DEFAULT

Payment of periodic compensation, 11:15

DEFENSES AND DEFENSE-RELATED MATTERS

Generally, **8:1 to 8:33**Acts of God, **8:17**Assault. **8:18**

Cumulative stress and trauma, **8:19**

Death, compensation payable only to residents, **8:8**

Drug testing, **8:3** Explosions, **8:21** Exposure cases, **8:20**

False representations, 8:9

Fires, 8:21

Hearing loss, **8:22** Heart cases, **8:23**

Heat exhaustion, 8:24

Hernia cases, 8:25

Horseplay, 8:26

Idiopathic falls, 8:27

Intoxication, 8:3

Judicial estoppel, 8:33

Occupational disease, only last employer liable, **8:10**

Preexisting injuries or infirmities, 8.7

Reasonable rules or regulations, willful breach, **8:6**

Recreation, 8:28

Removal to federal court not permitted, **8:32**

Safety appliances, willful failure or refusal to use, **8:4**

DEFENSES AND

DEFENSE-RELATED MATTERS—Cont'd

Self-injury, intentional, 8:2
Statutory or lawful duties, willful failure or refusal to perform, 8:5

Strain, 8:29

Street risk doctrine, 8:30

Stress and trauma, cumulative, **8:19**

Telecommuting or working from home, **8:31**

Terrorist acts, 8:21

Third-party defenses, 9:7

Time Limitations, this index Willful misconduct, **8:1**

DEFINITIONS

Accident, 6:6

Arising out of, **6:4**

Average weekly earnings, 10:6

Average weekly wage, 10:7

Course of, 6:4

Employee and worker, 3:1

Employer, 3:1

Injury, **6:5**

Occupational pneumoconiosis, 7:3

Premises, 6:7

Third person or third party, 9:2

DEPARTMENT OF JUSTICE

Radiation exposure compensation program. Radiation, this index

DEPARTMENT OF LABOR WORKERS8217

COMPENSATION DIVISION

Forms, 13:81

DEPOSITIONS

Number permitted, 11:9

DISABILITY BENEFITS

Generally, 10:1, 10:5

DISABILITY BENEFITS EMPLOYMENT-RELATED -Cont'd **ACTIONS** Average weekly earnings, defined, Generally, 1:1 to 1:6 10:6 Actions not barred by Act, 2:9 Average weekly wage, defined, Arbitration, 1:6 10:7 Constitutionality of Act, 1:2 Concurrent and successive injuries Disability compensation systems or disabilities, 10:13 in U.S., 1:5 Death and Death Benefits, this Liberal construction, 1:3 index Principal features of Act, 1:4 Integrated disability benefits, State and federal remedies against 10:12 employer, development, 1:1 Partial disability EMPLOYMENTS COVERED BY permanent partial disability, ACT scheduled and non-Generally, **3:1 to 3:7** scheduled, 10:10 Aliens, 3:6 temporary partial disability, Employee and worker, defined, 10:8 3:1 Permanent disability Employer, defined, 3:1 partial disability, scheduled and Exempt employer and elective non-scheduled, 10:10 coverage, 3:2 total disability, 10:11 Insurance agreements, coverage Second injury fund, 10:14 affected by, 3:4 Set-offs for other recoveries, 10:5 Minors, 3:5 Temporary disability Presumptive coverage, 3:3 partial, **10:8** Successive employers and insurtotal, 10:9 ers. 3:7 Total disability **ENERGY EMPLOYEES** permanent total disability, 10:11 Generally, 13:163 to 13:166 temporary total disability, 10:9 Affidavits employment history, 13:165 DOMESTIC SERVANTS Claim for benefits, employees, Exempt employment, 4:1 13:163 Employment history and affidavit, **DRUG TESTING** 13:165 Defenses and defense-related mat-Federal coverages, 12:6 ters, 8:3 Medical reimbursement, claim for, 13:166 DUAL CAPACITY DOCTRINE Medical requirements, 13:166 Generally, 2:2 **ENERGY EMPLOYEES** Third-party actions, 9:5 OCCUPATIONAL ILLNESS **DUTIES** COMPENSATION Statutory or lawful duties, willful **PROGRAM ACT** failure or refusal to perform, Claim for benefits, employees, 13:163

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION

PROGRAM ACT—Cont'd

Employment history, affidavit for claim, **13:165**

Employment history, claim for benefits, **13:164**

Medical requirements, 13:166

ESTOPPEL

Judicial estoppel, 8:33

EXCLUSIVENESS OF ACT AS REMEDY

Generally, 2:1 to 2:10

Co-employee, employee's tort action against, **2:4**

Conflict of laws, 5:3

Dual capacity doctrine, 2:2

Employee's remedy under Act, **2:1**

Employment-related actions not barred by Act, **2:9**

Intentional tort action against employer, 2:3

Negligence action against employer, 2:2

Persons other than employee, Act's exclusiveness as to, **2:6**

Property damage, employee's tort action against employer, 2:7

Racketeer Influenced and Corrupt Organizations Act, **2:10**

Statutory causes of action not barred by Act, 2:9

Third parties, employee's tort action against, 2:5

Wrongful termination actions, 2:8

EXECUTION

Monies owed under judgment, 11:15

EXEMPT EMPLOYERS

Elective coverage, 3:2

EXEMPT EMPLOYMENT

Generally, 4:1 to 4:18

Casual employees, 4:3

Common carrier problems, 4:9

Corporate officers, 4:13

Domestic servants. 4:1

Farm laborers, 4:2

Independent contractors, 4:8

Individual employers, 4:7

Joint employers, 4:10

Less than five persons regularly employed, **4:4**

Loaned employees, 4:11

Local government employees, 4:5

Partners, 4:12

Prison inmates, 4:17

Real estate agents, 4:16

School boards, 4:15

Sports officials, 4:18

State employees, 4:6

Volunteer fire departments and rescue squads, **4:14**

EXERTION

Defenses and defense-related matters, 8:29

EXPERT TESTIMONY

Permanent disability, 10:11

EXPLOSIONS

Defenses and defense-related matters, 8:21

EXPOSURE CASES

Defenses and defense-related matters, **8:20**

Radiation, this index

EXTRATERRITORIAL APPLICATION AND OTHER COVERAGES

Generally, 5:1 to 5:4

Conflict of laws, **5:3**

Longshore workers, application to, **5:4**

Index-8

EXTRATERRITORIAL APPLICATION AND OTHER COVERAGES —Cont'd

Out-of-state injuries, application of Act, **5:1**

Seamen, application to, **5:4**Similar awards in other states, effects of, **5:2**

FALLS

Idiopathic falls, 8:27

FALSE OR FALSITY

Fraud or Deceit, this index

FARM LABORERS

Exempt employment, 4:2

FEDERAL ARBITRATION ACT

Generally, 1:6

FEDERAL COURT

Removal to federal court not permitted, **8:32**

FEDERAL COVERAGES

Generally, **12:1 to 12:9**

Black lung benefits, 12:5

Comprehensive Toxics Act of 2022 or Honoring Our Pact Act of 2022, 12:10

Energy employees, 12:6

Federal Employees, this index

Longshore workers, 12:3

Medicare, 12:8

Military personnel, 12:4

Railroad workers and FELA, 12:1

Seamen and federal maritime laws, **12:2**

September 11th victim compensation fund, **12:7**

Social Security disability, **12:8** Unemployment, **12:9**

FEDERAL EMPLOYEES

Generally, 12:4, 13:87 to 13:110

FEDERAL EMPLOYEES —Cont'd

Asbestos-related illness, evidence required in support of claim, 13:105

Attending physician's report authorization request form for compounded drugs and opioid medications, 13:102

Brothers and/or sisters, claim for compensation, **13:91**

Carpal tunnel syndrome, workrelated, evidence required in support of claim, **13:110**

Claim for compensation, 13:94

Claim for death gratuity, notice of death under 0167 8102a, 13:97

Claim for medical reimbursement, 13:113

Claim for reimbursement assisted reemployment, **13:100**

Continuing compensation on account of disability with attending physician's supplemental report, claim for, 13:127

Coronary/vascular condition, work-related evidence required in support of claim, 13:106

Death of employee, official superior's report, **13:93**

Duty status report, 13:101

Evidence required in support of claim

asbestos-related illness, **13:105** carpal tunnel syndrome, work-

related, 13:110 coronary/vascular condition, 13:106

hearing loss, work-related, 13:104

occupational disease, **13:103** psychiatric illness, work-re-

lated, 13:109

FEDERAL EMPLOYEES —Cont'd

Evidence required in support of claim—Cont'd

pulmonary illness, work-related (not asbestosis), **13:108**

skin disease, work-related, 13:107

Examination and/or treatment, request, **13:123**

FECA, claim for continuance of compensation, **13:99**

Grandparents or grandchildren, claim for compensation, 13:92

Health insurance claim form, 13:111

Hearing loss, work-related, evidence required in support of claim. 13:104

Leave buy back (LBB) worksheet/ certification and election, 13:96

Notice

occupational disease and claim for compensation, notice of, 13:88

recurrence of disability, 13:89 traumatic injury and claim for continuation of pay/ compensation, 13:87

Parents, claim for compensation, 13:92

Physicians

attending physician's report, 13:102

continuing compensation on account of disability with attending physician's supplemental report, claim for, 13:127

traumatic injury or occupational disease, claim for compensation with attending physician's report, 13:102

FEDERAL EMPLOYEES

-Cont'd

Physician8217s/medical officer8217s statement, 13:152

Psychiatric illness, work-related, evidence required in support of claim, 13:109

Pulmonary illness, work-related (not asbestosis), evidence required in support of claim, 13:108

Rehabilitation plan and award, 13:112

Reports

attending physician's report, 13:102

continuing compensation on account of disability with attending physician's supplemental report, claim for, 13:127

death of employee, official superior's report, **13:93**

duty status report, 13:101

termination of disability and/or payment, report of, **13:90**

traumatic injury or occupational disease, claim for compensation with attending physician's report, 13:102

Request for examination and/or treatment, 13:123

Skin disease, work-related, evidence required in support of claim, 13:107

Time analysis, 13:95

Traumatic injury or occupational disease, claim for compensation with attending physician's report, **13:102**

What to do when injured at work, 13:98

Widow, widower and/or children, claim for compensation, 13:91

FELA	FORMS—Cont'd
Complaints death, 13:82	Claim for damage, injury, or death, 13:170
personal injury, 13:83	Claim for injury or death, 13:169
Railroad workers, 12:1	Claims Handling Manual (basic)
,	of Alabama Department of
FIRES Defenses and defense-related mat-	Labor, 13:80
ters, 8:21	Claims summary form, 13:62
,	Compensation, petition for altera-
FIRST REPORT OF INJURY CODES	tion, amendment or revision, 13:44
Alabama Department of Labor,	Complaints and petitions
13:79	alteration, amendment or revi-
FORMS	sion of compensation, petition, 13:44
Generally, 13:1 to 13:174	in the alternative, negligence or
Acknowledgment of representa-	workers' compensation,
tion by employee, 13:74	13:21
Adjuster worksheet, 13:52 to	death benefits, employer's peti-
13:55	tion for approval, 13:47
Agreement and undertaking, 13:157	declaratory relief, 13:172 to
Answer to complaint or petition	13:174
generally, 13:22	entitlement to workers' compensation and benefits,
retaliation, 13:27	employer's petition for
tort claim with constitutional	determination, 13:46
defenses, 13:25	maritime law, 13:84 to 13:86
Assessment report for insurance	outrage, employee's complaint,
companies, self-insurers and group funds, 13:66	13:24, 13:26
Attorney	retaliation, 13:26
fee approval request, 13:117	settlement, petition for
Attorney, employment of	approval, 13:4 to 13:10, 13:49
application, 13:17 , 13:18	workers' compensation benefits,
Basic Claims Handling Manual of	13:20, 13:26
Alabama Department of	wrongful death, complaint
Labor, 13:80	against third party, 13:23
Bill screening and utilization review, application for certifi-	Coverage, notice of, 13:64
cation, 13:77	Death benefits
Black Lung Benefits, this index	employer's petition for
Camp lejeune family member	approval, 13:47
program application, 13:168	FELA, 13:82
Cancellation, notice of, 13:65	maritime law, 13:84, 13:85
Certification of funeral expenses, 13:129	Death on High Seas Act, complaint, 13:85

FORMS—Cont'd	FORMS—Cont'd
Declaratory relief complaints,	Interrogatories—Cont'd
13:172 to 13:174	employer's interrogatories,
Department of Labor Work-	13:31, 13:32
ers8217 Compensation Divi-	Intervention
sion, 13:81	employer's and carrier's peti-
Election. Employer's notice of election, below	tion to intervene in third-
Employee's acknowledgment of	party action brought by
representation, 13:74	employee or employee's dependents, 13:28
Employer's first report of injury or occupational disease, 13:60	motion to intervene on limited basis, 13:29
Employer's notice of election	Investigative compliance report,
accepting provisions of Act,	13:73
13:67	Jones Act complaints, 13:84 to
individual employer, notice of	13:86
election to cover himself under Act and withdrawal	Judgment or decree
of election, 13:68, 13:71	generally, 13:39 to 13:43
withdrawal of election to accept	commuting periodic amounts to
provisions of Act, 13:70	lump sum payment, 13:45
Employer's notice to exclude or	for employee, 13:42
include coverage for himself,	for employer, 13:43
officers or members, 13:69	findings of fact, conclusions of
Employment, application for,	law and final judgment
13:26	approving settlement, 13:38
Energy Employees, this index	death benefits, 13:48
Federal Employees, this index Findings of fact, conclusions of	Longshore Workers, this index
law and final judgment	Maritime law, 13:84 to 13:86
approving settlement, 13:38	Maximum fee schedule, 13:58
death benefits, 13:48	Medical history, examination for
First report of injury codes, Ala-	coal mine workers8217 pneu-
bama Department of Labor,	moconiosis, 13:158
13:79	Medical only claims, quarterly
Guide to benefits and claims under	report, 13:63
Act, 13:56	Medical travel refund request,
HIPAA order, 13:34	13:156
Individual employer, notice of election to cover himself	Medicare set aside custodial
under Act and withdrawal of	agreement (non-approved),
election, 13:68, 13:71	13:171
Initial client interview informa-	Notice
tion, 13:51	cancellation, 13:65
Interrogatories	coverage, 13:64
employee's interrogatories,	election. Employer's notice of
13:35, 13:36	election, above

FORMS—Cont'd	FORMS—Cont'd
Notice—Cont'd	Settlement—Cont'd
employees, notice to, 13:3,	order approving
13:59	generally, 13:11 to 13:14,
employer, notice to	13:50
accident, 13:1	amendment to petition, 13:16
occupational disease, 13:2	petition for approval
Ombudsman mediation rules,	generally, 13:4 to 13:10,
13:57	13:49
Order form, Alabama Department	amendment to petition, 13:15
of Labor, 13:78	Social Security language, settle
Outrage, employee's complaint,	ment agreement, 13:75
13:24, 13:26	variable items checklist, 13:76
Production requests	Severing workers' compensation claim from tort claim,
employee's requests, 13:37	defendant's motion, 13:30
employer's requests, 13:31, 13:33	Social Security
10.00	offset for workers' compensa-
Provider enrollment form, 13:159	tion benefits, worksheet,
Report of ventilatory study, 13:155	13:160
	request for workers'
Reports	compensation/public dis-
assessment report for insurance companies, self-insurers	ability benefit information
and group funds, 13:66	13:161
employer's first report of injury	settlement agreement, Social
or occupational disease,	Security language, 13:75
13:60	workers' compensation/public disability benefit question-
first report of injury codes, Ala-	naire, 13:162
bama Department of	Stipulation approval request,
Labor, 13:79	13:128
investigative compliance report,	Survivor8217s claim, 13:167
13:73	Utilization review, application for
medical only claims, quarterly	certification bill screening
report, 13:63	and, 13:77
supplementary report, 13:61	FRAUD OR DECEIT
Retaliation	Penalties, 11:2
answer, 13:27	Physical or mental condition, 8:9
complaint, 13:26	Racketeer Influenced and Corrupt
Self-insurance, employer's	Organizations Act, 2:10
application, $1\overline{3}$: $\overline{72}$	GUARDIANS
Settlement	
findings of fact, conclusions of	Generally, 11:10
law and final judgment	GUIDE
approving settlement,	Benefits and claims under Act,
13:38	13:56

HARMFUL SUBSTANCES

Exposure cases, 8:20

HEARING LOSS

Due to noise, 8:22

HEART CASES

Coronary/vascular condition, work-related, evidence required in support of claim, 13:106

Defenses and defense-related matters, **8:23**

HEAT EXHAUSTION

Defenses and defense-related matters, 8:24

HERNIAS

Defenses and defense-related matters, 8:25

HIPAA

Exception for workers' compensation, 11:19

Order, 13:34

HISTORICAL BACKGROUND

Generally, 1:1

HORSEPLAY

Defenses and defense-related matters, **8:26**

IDIOPATHIC FALLS

Defenses and defense-related matters, 8:27

IMMUNITY FROM CIVIL ACTIONS

Sports officials, 4:18

INCOMPETENT PERSONS

Guardian, appointment of, 11:10

INDEPENDENT CONTRACTORS

Distinguished from employees, **4:8**

INDIVIDUAL EMPLOYERS

Exempt employment, 4:7

INDUSTRIAL RELATIONS DEPARTMENT

Responsibilities, 11:1

INSURANCE

Generally, 11:3

Assessment report for insurance companies, self-insurers and group funds, 13:66

Carriers, requirements, 11:3

Coverage affected by insurance agreements, **3:4**

Declaratory relief

CGL insurance policy, workers' compensation issues (federal court), **13:173**

personal umbrella liability policy, workers' compensation issues (federal court), 13:174

workers' compensation, employers' liability and CGL insurance provisions, workers' compensation issues (federal court), 13:172

Employer's and carrier's petition to intervene in third-party action brought by employee or employee's dependents, 13:28

Other insurance, coordination with, 11:18

Small employers, 11:3 Successive insurers, 3:7

INTENTIONAL INJURIES

Employee's action against employer, 2:3

Self-injury or intentional injury to another, **8:2**

INTERPLEADER

Generally, 11:8

INTERROGATORIES

Employee's interrogatories, 13:35, 13:36

Employer's interrogatories, 13:31, 13:32

Number permitted, 11:9

INTERVENTION

Employer's and carrier's petition to intervene in third-party action brought by employee or employee's dependents, 13:28

Motion to intervene on limited basis, 13:29

INTOXICATION

Defenses and defense-related matters, **8:3**

JOINT EMPLOYERS

Exempt employment, 4:10

JONES ACT

Complaint

death benefits, **13:84-13:85** personal injury, **13:86**

Damage remedy for negligence, **5:4**

FELA provisions, incorporation, 12:2

JUDGMENT OR DECREE

Generally, 13:39 to 13:43

Commuting periodic amounts to lump sum payment, **13:45**

Declaratory Relief, this index

For employee, 13:42

For employer, 13:43

Findings of fact, conclusions of law and final judgment approving settlement, 13:38

Reopening or modification, 11:13

JUDICIAL ESTOPPEL

Generally, 8:33

JURIES

Generally, **11:12**

JUSTICE DEPARTMENT

Radiation exposure compensation program. Radiation, this index

LATENT CONDITIONS

Distinguished from preexisting injuries or infirmities, 8:7

LAY TESTIMONY

Permanent disability, 10:11

LIENS

Judgment liens, 11:15

LIMITATIONS

Time Limitations, this index

LINESMEN

Exempt employment, 4:18

LOANED EMPLOYEES

Exempt employment, 4:11

LOCAL GOVERNMENT EMPLOYEES

Exempt employment, 4:5

LONGSHORE WORKERS

Generally, **12:3**, **13:114 to 13:120**Application, continuation of death benefit for student, **13:130**

Application of Act, 5:4

Attorney fee approval request, 13:117

Certification of funeral expenses, 13:129

Claimant statement, 13:131

Compensation

claim for compensation, employee's, 13:116

controversion of right to compensation, notice of, 13:118

final payment or suspension of compensation payments,

Guardian, appointment of, 11:10

MEDICAL BENEFITS LONGSHORE WORKERS -Cont'd Generally, 10:1, 10:2 Compensation—Cont'd Artificial apparatus, 10:3 notice of, 13:119 Disability Benefits, this index Complaint8212death, 13:132 Examination by employer's physi-Controversion of right to cian, 10:2, 10:3 compensation, notice of, Expenses covered, 10:3 13:118 Limits on employer's liability, Death benefits, claim for, 13:121 10:2 Employer8217s supplementary Ombudsman review, 10:3 report of accident or Reasonably necessary treatment, occupational illness, 13:120 10:3 Federal remedy, 5:4 Refusal to submit to treatment. Final payment or suspension of 10:2 compensation payments, Rehabilitation, 10:3 notice of, 13:119 Supplies, 10:3 First report of injury or Time for payment, **10:3**, **11:3** occupational illness, Treating physician, selection and employer's, 13:115 compensation, 10:4 Injury, 13:133 Injury or death, notice of, 13:114 MEDICAL MALPRACTICE Notice Tort action against third parties, 2:5 controversion of right to compensation, notice of, MEDICAL ONLY CLAIMS 13:118 Ouarterly report, 13:63 employee's injury or death, 13:114 MEDICAL SERVICES BOARD final payment or suspension of Generally, 10:2 compensation payments, notice of, 13:119 **MEDICARE** Pre-hearing statement, 13:125 Generally, 12:8 Report of earnings, 13:126 Set aside custodial agreement Report of payments, 13:122 (non-approved), 13:171 Reports MILEAGE REIMBURSEMENT first report of injury or RATES occupational illness, Generally, App. III employer's, 13:115 Stipulation approval request, MILITARY PERSONNEL 13:128 Federal coverages, 12:4 Third-person cause of action, approval of compromise, **MINERS** 13:124 Black Lung Benefits, this index Warranty of seaworthiness, 12:2 **MINORS MEDIATION** Employments covered by Act, 3:5 Ombudsman mediation rules,

13:57

MISCONDUCT OCCUPATIONAL DISEASES Generally, **7:1 to 7:5** Horseplay, defenses and defenserelated matters, 8:26 Coal miner pnuemoconiosis, 7:4 Jury trial, **11:12** Compensation Willful misconduct, 8:1 generally, 7:2 coal miner pnuemoconiosis, 7:4 MISREPRESENTATION occupational pnuemoconiosis, Fraud or Deceit, this index 7:3 MODIFICATION OF radiation, occupational **JUDGMENT** exposure, 7:5 Generally, **11:13** Coverages, 7:1 Notice to employer, 13:2 **MORTALITY TABLES** Occupational pnuemoconiosis, 7:3 Generally, App. II Only last employer liable, 8:10 MOTOR VEHICLE ACCIDENTS Pnuemoconiosis Tort action against third parties, coal miner, 7:4 occupational, 7:3 MUNICIPAL EMPLOYEES Radiation, occupational exposure, Exempt employment, 4:5 Time limitations, 7:2, 8:13 **NEGLIGENCE** Complaint in the alternative, **OFFENSES** negligence or workers' Generally, 11:2 compensation, 13:21 **OIL EXPLORATION** Employee's negligence action **EMPLOYEES** against employer, 2:2 Applicability of LHWCA, 12:3 Third-party claims against negligent employer, 9:6 **OMBUDSMAN NEXT OF KIN** Generally, 11:1 Exclusiveness of Act as remedy, Mediation rules, 13:57 2:6 Medical expenses, review of **NOTICE** disputes, 10:3 Generally, 11:5 **OTHER STATES** Black Lung Benefits, this index Application of Act, 5:1 Cancellation, notice of, 13:65 Disability compensation systems Coverage, notice of, 13:64 in U.S., 1:5 Employer's notice of election, Extraterritorial Application, this 13:67 to 13:71 index Federal Employees, this index Similar awards in other states, Forms, this index effects of, 5:2 Longshore Workers, this index **OUTRAGE** Notice to employees, 13:3, 13:59

Occurrence of accident, notice to employer, 11:5, 13:1

Employee's complaint, 13:24,

13:26

PARTIAL DISABILITY

Permanent partial disability, scheduled and nonscheduled, **10:10**

Temporary partial disability, 10:8

PARTNERS AND PARTNERSHIPS

Exempt employment, 4:12

PENALTIES

Generally, 11:2

PERMANENT DISABILITY

Expert and lay testimony, **10:11**Partial disability, scheduled and non-scheduled, **10:10**Total disability, **10:11**

PERSONAL PROPERTY

Employee's tort action against employer for property damage, 2:7

PERSONAL REPRESENTATIVES

Generally, 11:10 Exclusiveness of Act as remedy, 2:6

PETITIONS

Complaints and Petitions, this index

PHYSICIANS

Employer's physician, examination by, **10:2**, **10:3**

Treating physician, selection and compensation, **10:4**

PNUEMOCONIOSIS

Coal miners, **7:4**Occupational, **7:3**Time limitations on claims, **8:14**

PRACTICE AND PROCEDURE

Administration, Practice and Procedure, this index

PREEMPTION

Federal Arbitration Act, 1:6

PREEXISTING INJURIES OR INFIRMITIES

Generally, 8:7

False representations, prior physical injuries, **8:9**

Hernia cases, 8:25

Latent conditions distinguished, **8:7**

Strain or exertion, 8:29

Subsequent conduct or events, preexisting causes or conditions and, **6:3**

PREMISES

Defined, 6:7

PRESENT VALUES

Table of present values, App. I

PRESUMPTIONS

Generally, **11:11**Black lung benefits, **12:5**Coverage, presumptive, **3:3**

PRISON INMATES

Exempt employment, 4:17

PRODUCTION REQUESTS

Employee's requests, 13:37 Employer's requests, 13:31, 13:33

PRODUCTS LIABILITY

Tort action against third parties, 2:5

PROPERTY DAMAGE

Employee's tort action against employer, 2:7

PSYCHIATRIC ILLNESS

Work-related, evidence required in support of claim, **13:109**

PULMONARY ILLNESS

Work-related, evidence required in support of claim (not asbestosis), 13:108

RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT

Exclusiveness of act as remedy, **2:10**

RADIATION

Occupational exposure burden of proof, 7:5 compensation, 7:5 time limitations on claims, 8:15

RAILROAD WORKERS

FELA, 12:1

REAL ESTATE AGENTS

Exempt employment, **4:16**

RECREATION

Defenses and defense-related matters, 8:28

REFEREES

Exempt employment, 4:18

REMOVAL TO FEDERAL COURT

Not permitted, 8:32

REOPENING OF JUDGMENT

Generally, 11:13

REPORTS

Generally, 11:4

Employer's first report of injury or occupational disease, **13:60**

First report of injury codes, Alabama Department of Labor, 13:79

Investigative compliance report, 13:73

Supplementary report, 13:61

RESCUE SQUADS

Exempt employment, **4:14**

RESIDENTS

Compensation for death payable only to residents, **8:8**

RETALIATION

Answer, **13:27** Complaint, **13:26**

ROENTGENOGRAPHIC

Interpretation, 13:153
Quality rereading, 13:154

RULES AND REGULATIONS

Willful breach of reasonable employer rules or regulations, 8.6

SAFETY APPLIANCES

Willful failure or refusal to use, **8:4**

SAFETY PROGRAM

Generally, 11:1

SCHOOL BOARDS

Exempt employment, 4:15

SCOREKEEPERS

Exempt employment, 4:18

SEAMEN

Application of Act, **5:4**Federal maritime laws, **12:2**Warranty of seaworthiness, **12:2**

SECOND INJURY FUND

Generally, 10:14

SELF-INJURY

Intentional self-injury, 8:2

SELF-INSURANCE

Generally, 11:3

Assessment report for insurance companies, self-insurers and group funds, **13:66**Employer's application, **13:72**

SEPTEMBER 11TH

Victim compensation fund, 12:7

SET-OFFS

Allowable set-offs for other recoveries, **10:5**

SETTLEMENTS

Generally, 11:7

Findings of fact, conclusions of law and final judgment approving settlement, **13:38**

Order approving

generally, 13:11 to 13:14

amendment to petition, 13:16

workers' compensation settlement based on settlement of third-party action, **13:49**

Petition for approval

generally, 13:4 to 13:10

amendment to petition, 13:15

workers' compensation settlement based on settlement of third-party action, **13:49**

Social Security language in settlement agreement, **13:75**

Variable items checklist, 13:76

SEVERANCE

Defendant's motion to sever workers' compensation claim from tort claim, 13:30

SKIN DISEASE

Work-related, evidence required in support of claim, 13:107

SOCIAL FUNCTIONS

Employer-sponsored, 8:28

SOCIAL SECURITY

Offset for workers' compensation benefits

generally, 12:8

worksheet, 13:160

Request for workers' compensation/public disability benefit information,

13:161

Settlement agreement, Social Security language, 13:75

Workers' compensation/public disability benefit question-naire, 13:162

SPORTS OFFICIALS

Exempt employment, 4:18

STATE EMPLOYEES

Exempt employment, 4:6

STATUTES

Workers' compensation statutes, **14:1**

STATUTORY OR LAWFUL DUTIES

Willful failure or refusal to perform, **8:5**

STRAIN

Defenses and defense-related matters, **8:29**

STREET RISK DOCTRINE

Defenses and defense-related matters, 8:30

STRESS, CUMULATIVE

Defenses and defense-related matters. **8:19**

SUBROGATION

Medical and vocational benefits, **9:8**

SUCCESSIVE EMPLOYERS

Employments covered by Act, 3:7

SUCCESSIVE INJURIES OR DISABILITIES

Generally, 10:13

SUMMARY FORM

Claims, 13:62

SUMMARY OF ACT

Generally, 1:4

SURVIVING SPOUSE

Exclusiveness of Act as remedy, **2:6**

TELECOMMUTING

Defenses and defense-related matters, **8:31**

TEMPORARY DISABILITY

Partial disability, **10:8** Total disability, **10:9**

TERRORIST ACTS

Defenses and defense-related matters, **8:21**

September 11th, victim compensation fund, **12:7**

THIRD-PARTY ACTIONS

Generally, 9:1 to 9:8

Defenses of third party, 9:7

Dual capacity employers, 9:5

Employee's tort action against, **2:5**

Employer's and carrier's petition to intervene in third-party action brought by employee or employee's dependents, 13:28

Meaning of third persons, 9:2 Motion to intervene on limited basis, 13:29

Negligent co-employees and others, **9:4**

Negligent employer, third-party claims against, **9:6**

Subrogation, 9:8

True third parties, 9:3

Workers' compensation settlement based on settlement of thirdparty action, petition for approval and order, 13:49, 13:50

Wrongful death, complaint against third party, **13:23**

TIMEKEEPERS

Exempt employment, 4:18

TIME LIMITATIONS

Coal miner pneumoconiosis claims, **8:14**

Cumulative trauma injury, 8:19

Death claims, 8:12

Injury claims, 8:11

TIME LIMITATIONS—Cont'd

Maritime torts, 12:2

Occupational disease claims, **8:13**Radiation, occupational exposure, **8:15**

Tolling

generally, 8:11

employer's conduct, 8:16

payment of compensation, 8:13

TITLE VII

Incorporation of Title VII remedies in ADA, 1:5

TOLLING LIMITATIONS PERIOD

Time Limitations, above

TORT ACTIONS

Co-employee, employee's action against, **2:4**

Employer's answer to tort claim with constitutional defenses, 13:25

Intentional tort, employee's action against employer, **2:3**

Property damage, employee's action against employer, **2:7**

Severing workers' compensation claim from tort claim, defendant's motion, 13:30

Third parties, employee's action against, 2:5

TRAUMA, CUMULATIVE

Defenses and defense-related matters, 8:19

TREATING PHYSICIAN

Selection and compensation, 10:4

UMPIRES

Exempt employment, 4:18

UNEMPLOYMENT

Federal coverages, 12:9

Alabama Workers' Compensation with Forms

UTILIZATION REVIEW

Application for certification bill screening and, 13:77

VOCATIONAL REHABILITATION

Employer liability, 10:3

VOLUNTEER FIRE DEPARTMENTS

Exempt employment, 4:14

WAITING PERIOD

Generally, 11:6

WILLFUL MISCONDUCT

Generally, **8:1**Jury trial, **11:12**

WORKING FROM HOME

Defenses and defense-related matters, **8:31**

WORKSHEETS

Adjuster worksheets, 13:52 to 13:55

Social Security offset, 13:160

WRONGFUL DEATH

Complaint against third party, 13:23

WRONGFUL TERMINATION ACTIONS

Generally, 2:8