Index

ADMINISTRATION OF WORKERS' COMPENSATION SYSTEM
Generally, **§ 1:13 to 1:16**
Appeals, Workers' Compensation Appeals Board (this index)
Benefit Assistance and Enforcement, Office of, **§ 1:15**
Benefit Determination, Office of, **§ 1:15**
Division of Workers' Compensation, Administrative Director and Court Administrator, **§ 1:13**
Industrial Medical Council, **§ 1:16**

ADMINISTRATIVE APPEALS
Workers' Compensation Appeals Board (this index)

ADMINISTRATIVE DIRECTOR
Summary rating determination, request for, DEU Form 103, **§ 8:68**

AIDS AND HIV
Death benefits, limitations period, **§ 3:7**

ALTERCATIONS
Employees, altercations between, **§ 1:50**
Initial physical aggressor, injury to, **§ 1:45**

ALTERNATIVE DISPUTE RESOLUTION
Construction trades, **§ 9:18**

APPEAL AND REVIEW
Judicial Review (this index)
Vocational rehabilitation, appeal of determination of Rehabilitation

APPEAL AND REVIEW—Cont'd
Unit, **§ 14:39, 14:63**
Workers' Compensation Appeals Board (this index)

ARBITRATION
Generally, **§ 9:12 to 9:18**
Binding arbitration, **§ 9:17**
Construction trades, alternative dispute resolution, **§ 9:18**
Duties and authority of arbitrator, **§ 9:16**
Initiation, **§ 9:12**
Lists of arbitrators, **§ 9:15**
Mandatory arbitration, **§ 9:13**
Submittal form, DWC-CA form 10297, **§ 9:70**
Submittal form, WCAB Form 33, **§ 9:71**
Voluntary arbitration, **§ 9:14**

ARISING OUT OF EMPLOYMENT
Injury Arising Out of Employment (this index)

ASBESTOS
Death benefits, limitations period, **§ 3:6**
Lien claims, asbestos workers' benefits, **§ 12:10**

ASSAULT
Employer or third party, assault by, **§ 1:49**
Exclusive remedy rule, **§ 15:11, 15:23**

ATHLETICS
Employment relationship, athletic activity participants and officials, **§ 1:38**
Injuries arising from, **§ 1:47**

ATTORNEY FOR APPLICANT
Generally, **§ 6:1 to 6:79**
Forms, **§ 6:30 to 6:79**
ADA/FEHA rights, letter advising client regarding, **§ 6:55**
Anti-kickback declaration to accompany application, **§ 6:34**
Application, claim form, and attorney disclosure statement, letter transmitting, **§ 6:37**
Attorney-client relationship, establishing, **§ 6:1**
Authorization form, **§ 6:3, 6:31**
Client interview. Initial client interview, below
Client questionnaire, **§ 6:3, 6:30**
Closing file, **§ 6:29**
Collection agency, notifying, **§ 6:52**
Communicating with client and other parties
  generally, **§ 6:7 to 6:15**
  creditors, notifying, **§ 6:11**
  EDD, notifying of disability claim, **§ 6:10, 6:51**
  exchange of claim forms and other information, **§ 6:7**
  follow-up communications with client, **§ 6:8**
  Forms, below
  health insurance carrier, employee's, notifying, **§ 6:12, 6:53**
  notifying employer, **§ 6:7**
  substitution or dismissal of attorney, **§ 6:9, 6:46, 6:47**
  treating physician, notifying, **§ 6:13**
Concluding representation, letter to client, **§ 6:75**
Confirmation letter to client nonrepresentation, **§ 6:42**

ATTORNEY FOR APPLICANT —Cont'd
Confirmation letter to client—Cont'd representation, **§ 6:40**
Creditors, notifying, **§ 6:11, 6:52**
Declining representation after review of documents, letter to applicant, **§ 6:41**
Defense Counsel (this index)
Depositions (this index)
Discovery. Medical evaluations and other discovery, below
Dismissal or substitution of attorney, **§ 6:9, 6:46, 6:47**
EDD, notifying of disability claim, **§ 6:10, 6:51**
Evaluating compensation claim and other causes of action, **§ 6:2**
Exchange of claim forms and other information, **§ 6:7**
Fees. Attorneys' Fees (this index)
File-endorsed copy of application, letter to carrier transmitting, **§ 6:38**
Follow-up communications with client, **§ 6:8, 6:45**
Forms
  generally, **§ 6:30 to 6:79**
  ADA/FEHA rights, letter advising client regarding, **§ 6:55**
  agreement on AME, letter to insurer, **§ 6:57**
  AME appointment letter, **§ 6:59**
  anti-kickback declaration to accompany application, **§ 6:34**
  application, claim form, and attorney disclosure statement, letter transmitting, **§ 6:37**
  attorney fee disclosure statement, **§ 6:33**
  authorization form, **§ 6:31**
  client questionnaire, **§ 6:30**
  communicating with client and other parties
    generally, **§ 6:36 to 6:55**

ATTORNEY FOR APPLICANT —Cont'd
Forms—Cont'd
communicating with client and other parties—Cont'd
ADA/FEHA rights, letter advising client regarding, **§ 6:55**
application, claim form, and attorney disclosure statement, letter transmitting, **§ 6:37**
confirmation of nonrepresentation, letter to client, **§ 6:42**
confirmation of representation, letter to client, **§ 6:40**
creditors or collection agency, client's, letter to, **§ 6:52**
declining representation after review of documents, letter to applicant, **§ 6:41**
dismissal of attorney, notice of, **§ 6:47**
EDD, letter advising of claim dispute, **§ 6:51**
file-endorsed copy of application, letter to carrier transmitting, **§ 6:38**
follow-up letter inquiring as to client's status, **§ 6:45**
limited representation, letter to client explaining, **§ 6:43**
private health insurer, letter to, **§ 6:53**
referral thank you letter, **§ 6:44**
service by mail, declaration of, **§ 6:36**
substitution of attorneys, **§ 6:46**
treating physician from MPN list, letter designating, **§ 6:54**
wage history information, letter requesting, **§ 6:39**
withdrawing as attorney of record, **§ 6:48 to 6:50**
concluding representation, letter to client, **§ 6:75**
confirmation of nonrepresentation, letter to client, **§ 6:42**
confirmation of representation, letter to client, **§ 6:40**
creditors or collection agency, client's, letter to, **§ 6:52**
declining representation after review of documents, letter to applicant, **§ 6:41**
Depositions (this index)
dismissal of attorney, notice of, **§ 6:47**
EDD, letter advising of claim dispute, **§ 6:51**
file-endorsed copy of application, letter to carrier transmitting, **§ 6:38**
follow-up letter inquiring as to client's status, **§ 6:45**
hearing, notice to client, **§ 6:71**
initial client interview
generally, **§ 6:30 to 6:35**
anti-kickback declaration to accompany application, **§ 6:34**
attorney fee disclosure statement, **§ 6:33**
authorization form, **§ 6:31**
client questionnaire, **§ 6:30**
memorandum to applicant with information about workers' compensation, **§ 6:32**
notice of claim, letter transmitting, **§ 6:35**

ATTORNEY FOR APPLICANT —Cont'd
Forms—Cont'd
letter to AME (or Designated Panel QME), **§ 6:60**
limited representation, letter to client explaining, **§ 6:43**
medical evaluations and other discovery
generally, **§ 6:57 to 6:63**
agreement on AME, letter to insurer, **§ 6:57**
AME appointment letter, **§ 6:59**
Depositions (this index)
letter to AME (or Designated Panel QME), **§ 6:60**
treating physician's medical determinations, letter objecting to, **§ 6:58**
memorandum to applicant with information about workers' compensation, **§ 6:32**
MPN physician, designation of, **§ 6:77**
new hearing date, confirmation of, **§ 6:73**
new trial date, notice of, **§ 6:74**
notice of claim, letter transmitting, **§ 6:35**
private health insurer, letter to, **§ 6:53**
readiness to proceed, transmittal of declaration, **§ 6:70**
referral thank you letter, **§ 6:44**
resolving the case
generally, **§ 6:64 to 6:79**
concluding representation, letter to client, **§ 6:75**
hearing, notice to client, **§ 6:71**
MPN physician, designation of, **§ 6:77**
new hearing date, confirmation of, **§ 6:73**

ATTORNEY FOR APPLICANT —Cont'd
Forms—Cont'd
resolving the case—Cont'd
new trial date, notice of, **§ 6:74**
readiness to proceed, transmittal of declaration, **§ 6:70**
Settlement (this index)
three-member panel, request for (Lab. Code § 4062.2), **§ 6:76**
trial, notice to client, **§ 6:72**
utilization review denial, notice to client and treating physician, **§ 6:78, 6:79**
Settlement (this index)
substitution of attorneys, **§ 6:46**
supplemental job displacement voucher, letter to carrier requesting, **§ 6:56**
three-member panel, request for (Lab. Code § 4062.2), **§ 6:76**
treating physician from MPN list, letter designating, **§ 6:54**
treating physician's medical determinations, letter objecting to, **§ 6:58**
trial, notice to client, **§ 6:72**
utilization review denial, notice to client and treating physician, **§ 6:78, 6:79**
wage history information, letter requesting, **§ 6:39**
withdrawing as attorney of record, **§ 6:48 to 6:50**
Health insurance carrier, employee's, notifying, **§ 6:12**
Hearing, notice to client, **§ 6:71**
Initial client interview
generally, **§ 6:1 to 6:6**
attorney-client relationship, establishing, **§ 6:1**
attorney's fee and fee disclosure statement, **§ 6:4**

ATTORNEY FOR APPLICANT —Cont'd
Initial client interview—Cont'd
authorization form, **§ 6:3, 6:31**
client questionnaire, **§ 6:3, 6:30**
concluding interview, **§ 6:6**
evaluating compensation claim and other causes of action, **§ 6:2**
Forms, above
legal forms and documentation, **§ 6:5**
memorandum to applicant with information about workers' compensation, **§ 6:32**
Initiating claim. Claims Procedure (this index)
Legal forms and documentation, **§ 6:5**
Limited representation, letter to client explaining, **§ 6:43**
Medical evaluations and other discovery
generally, **§ 6:16 to 6:29**
AME or QME
notice of appointment, **§ 6:19**
selecting (panel procedure), **§ 6:16**
Depositions (this index)
Forms, above
Medical Provider Network (MPN), **§ 6:17**
Utilization Review (UR), **§ 6:18**
MPN physician, designation of, **§ 6:77**
New hearing date, confirmation of, **§ 6:73**
New trial date, notice of, **§ 6:74**
Nonrepresentation, confirmation of, letter to client, **§ 6:42**
Notice of claim, letter transmitting, **§ 6:35**
Notice of dismissal of attorney, **§ 6:47**
Notifying employer, **§ 6:7**
Questionnaire, **§ 6:3, 6:30**

ATTORNEY FOR APPLICANT —Cont'd
Readiness to proceed, transmittal of declaration, **§ 6:70**
Referral thank you letter, **§ 6:44**
Rehabilitation
periodic reports, **§ 6:15**
request for benefits, **§ 6:14**
supplemental job displacement voucher, letter to carrier requesting, **§ 6:56**
Representation, confirmation of, letter to client, **§ 6:40**
Resolving the case
closing file, **§ 6:29**
hearings, **§ 6:28**
Settlement (this index)
Subpoena of records, **§ 6:20**
Substitution or dismissal of attorney, **§ 6:9, 6:46, 6:47**
Three-member panel, request for (Lab. Code § 4062.2), **§ 6:76**
Treating physician
medical determinations, letter objecting to, **§ 6:58**
MPN list, letter designating physician from, **§ 6:54**
notifying, **§ 6:13**
Trial, notice to client, **§ 6:72**
Wage history information, letter requesting, **§ 6:39**
Withdrawing as attorney of record, **§ 6:48 to 6:50**

ATTORNEY FOR DEFENDANT
Defense Counsel (this index)

ATTORNEYS' FEES
Deposition attorneys' fees, request for, **§ 6:63**
Disclosure statement, **§ 6:4, 6:33**
Initial client interview, **§ 6:4**
Judicial review, **§ 11:27**
Lien claims, **§ 12:3, 12:18**
Prehearing fees, **§ 8:17, 8:46 to 8:50**
Settlement, **§ 7:22**

ATTORNEYS' FEES—Cont'd
Tort Actions Against Third Parties (this index)
Vocational Rehabilitation (this index)

AVERAGE WEEKLY EARNINGS
Computation of Temporary and Permanent Disability (this index)

AWARDS
Collection and enforcement. Hearing Procedure (this index)
Commutation of award. Supplemental Proceedings (this index)
Insolvency, collection and enforcement of award, **§ 9:59**
Labor Commissioner, collection and enforcement of award, **§ 9:58**

BREACH OF CONTRACT
Exclusive remedy rule, **§ 15:17**

BREAKS
Injury during, **§ 1:60**

BUNKHOUSE RULE
Course of employment, **§ 1:58**

BURDEN OF PROOF
Generally, **§ 9:40**
Injury arising out of employment, **§ 1:48**
Lien claims, **§ 12:16**

BURIAL EXPENSES
Death benefits, **§ 3:2**
Lien claims, **§ 12:7**

CARRIERS
Insurance and Insurers (this index)

CASE EVALUATION
Attorney for Applicant (this index)

CASE FILE
Public Records Request Form, **§ 9:73**

CAUSATION
Serious and willful misconduct, **§ 5:3**

CHALLENGE TO ASSIGNED WCJ
Hearing Procedure (this index)

CHARITABLE AID
Employment relationship, persons providing services to receive, **§ 1:37**

CHECKLISTS
Reconsideration, **§ 10:31**
Review, writ of, and response, **§ 11:28**
Supplemental relief, **§ 13:32**

CLAIMS PROCEDURES
Generally, **§ 8:1 to 8:67**
Forms, **§ 8:44 to 8:67**
After notice of claim is filed
- generally, **§ 8:10 to 8:19**
- attorneys' fees, **§ 8:17, 8:46 to 8:50**
- discovery order, petition for, **§ 8:14**
- dismissal of notice of claim, **§ 8:19**
- joinder and dismissal of proper parties, **§ 8:16; § 8:51 to 8:53**
- lien claims, filing, **§ 8:18, 12:12**
- other preapplication or prehearing matters, **§ 8:15**
- payment of compensation
  - generally, **§ 8:10 to 8:12**
  - late payment supplements, **§ 8:12**
  - presumption of compensability, **§ 8:10, 8:11**
  - timing of payments, **§ 8:12**
- prehearing Board activity
  - generally, **§ 8:13 to 8:19**
  - attorneys' fees, petition for, **§ 8:17**

CLAIMS PROCEDURES —Cont'd
After notice of claim is filed —Cont'd
prehearing Board activity —Cont'd
discovery order, petition for, **§ 8:14**
dismissal of notice of claim, **§ 8:19**
joinder and dismissal of proper parties, **§ 8:16**
lien claims, filing, **§ 8:18, 12:12**
other preapplication or prehearing matters, **§ 8:15**
requests for Board action, **§ 8:13**
Attorney disclosure, **§ 8:5**
Attorneys' fees, **§ 8:17, 8:46 to 8:50**
Board activity, prehearing. After notice of claim is filed, above
Discovery order, petition for, **§ 8:14**
Dismissal of case. Forms, below
Dismissal of notice of claim, **§ 8:19**
Dismissal of proper parties, **§ 8:16, 8:51, 8:52**
Forms
generally, **§ 8:44 to 8:67**
attorneys' fees, **§ 8:46 to 8:50**
dismissal of case
applicant's request, WCAB Form 43, **§ 8:61**
lack of prosecution, petition to dismiss and objection, **§ 8:59, 8:62**
letter of intent to request dismissal, **§ 8:60**
notice of intention to dismiss, **§ 8:65**
order denying dismissal, **§ 8:64**
order of dismissal, **§ 8:63**
joinder and dismissal of parties, **§ 8:51 to 8:53**

CLAIMS PROCEDURES —Cont'd
Forms—Cont'd
medical examinations
barring benefits for failure to appear, petition and order, **§ 8:57, 8:58**
compelling attendance, petition and order, **§ 8:55**
notice of claim, **§ 8:44, 8:45**
rating evaluations
employee's permanent disability questionnaire, DEU Form 100, **§ 8:66**
summary rating determination, request for, DEU Form 101, **§ 8:67**
Information request and employer's response, **§ 8:4**
Initiating claim
generally, **§ 8:1 to 8:9**
attorney disclosure, **§ 8:5**
nonattorney representatives, **§ 8:6**
Notice of claim, below
Venue, below
Joinder and dismissal of proper parties, **§ 8:16; § 8:51 to 8:53**
Late payment supplements, **§ 8:12**
Lien claims, filing, **§ 8:18, 12:12**
Medical examinations
barring benefits for failure to appear, petition and order, **§ 8:57, 8:58**
compelling attendance, petition and order, **§ 8:55, 8:56**
Medical-legal bills, payment of
generally, **§ 8:35 to 8:38**
nature of medical-legal expenses, **§ 8:35**
objections to medical-legal charges, **§ 8:38**
prima facie reasonable amount, **§ 8:37**
timely payment and penalty, **§ 8:36**

CLAIMS PROCEDURES —Cont'd
Medical-legal reporting system, reforms of
past problems addressed by reforms before SB 899, **§ 8:39**
solutions from 1993 reform legislation, **§ 8:40**
Medical record, postreform development
generally, **§ 8:20 to 8:43**
employers' consultative medical reports, **§ 8:23**
formal medical evaluation
Generally, **§ 8:26 to 8:32**
liability denied cases, **§ 8:27**
qualified medical evaluators, use of, **§ 8:26**
represented claimants, **§ 8:30 to 8:32**
unrepresented claimants, **§ 8:28, 8:29**
legislation of 1989 and 1993, effect of, **§ 8:20**
legislation of April 19, 2004
effect of, **§ 8:21**
panel procedure subsequent to, **§ 8:22**
liability denied cases, **§ 8:27**
medical issues, determination of
generally, **§ 8:24**
spinal surgery, **§ 8:25**
Medical-legal bills, payment of, below
Medical-legal reporting system, below
panel procedure subsequent to April 19, 2004 legislation, **§ 8:22**
physicians, restrictions on
ghostwriting restrictions, **§ 8:34**
referral restrictions, **§ 8:33**
qualified medical evaluators, use of, **§ 8:26**
Rating, below

CLAIMS PROCEDURES —Cont'd
Medical record, postreform development—Cont'd
represented claimants, **§ 8:30 to 8:32**
unrepresented claimants, **§ 8:28, 8:29**
Nonattorney representatives, **§ 8:6**
Notice of claim
generally, **§ 8:1 to 8:4**
dismissal of notice, **§ 8:19**
forms, **§ 8:44, 8:45**
information request and employer's response, **§ 8:4**
post-1990 through 1993 injuries, **§ 8:2**
post-December 31, 1993 and after April 2004 reform, **§ 8:3**
pre-1990, **§ 8:1**
Payment of compensation. After notice of claim is filed, above
Physicians, restrictions on
ghostwriting restrictions, **§ 8:34**
referral restrictions, **§ 8:33**
Prehearing Board activity. After notice of claim is filed, above
Presumption of compensability, **§ 8:10, 8:11**
Qualified medical evaluators, use of, **§ 8:26**
Rating
generally, **§ 8:41 to 8:43**
after 2004 reform took effect, **§ 8:42**
apportionment and summary ratings, **§ 8:43**
before 2004 reform took effect, **§ 8:41**
employee's permanent disability questionnaire, DEU Form 100, **§ 8:66**
summary rating determination, request for, DEU Form 101, **§ 8:67**

CLAIMS PROCEDURES —Cont'd
Rating—Cont'd
summary rating determination, request for, DEU Form 103, **§ 8:68**
Representation
attorney disclosure, **§ 8:5**
nonattorney representatives, **§ 8:6**
Represented claimants, formal medical evaluation, **§ 8:30 to 8:32**
Requests for Board action, **§ 8:13**
Timing of payments, **§ 8:12**
Unrepresented claimants, formal medical evaluation, **§ 8:28, 8:29**
Venue
generally, **§ 8:7**
prehearing activity and venue, **§ 8:8**
retroactive effect of venue provisions, **§ 8:9**

CLIENT COMMUNICATIONS
Attorney for Applicant (this index)

COLLECTION AGENCY
Attorney for applicant, notifying collection agency, **§ 6:52**

COMMUNICATING WITH CLIENT
Attorney for Applicant (this index)

COMMUTATION OF AWARD
Supplemental Proceedings (this index)

COMPENSATION
Conditions of Compensation (this index)

COMPROMISE AND RELEASE
Lien Claims (this index)
Settlement (this index)

COMPUTATION OF TEMPORARY AND PERMANENT DISABILITY
Generally, **§ 4:1 to 4:50**
Forms, **§ 4:46 to 4:50**
Aggregate payments for single injury causing temporary disability, **§ 4:41**
Antipoverty program workers, average weekly earnings, **§ 4:32**
Apportionment
no apportionment of temporary disability, **§ 4:4**
Permanent disability, below
Average weekly earnings, computation of
Generally, **§ 4:14 to 4:34**
antipoverty program workers, **§ 4:32**
earning capacity, **§ 4:20**
intermittent employment, **§ 4:25**
irregular wages, **§ 4:22**
juvenile offenders, **§ 4:31**
military personnel, state, **§ 4:34**
minimum and maximum rates
permanent partial disability, **§ 4:18**
temporary disability and permanent total disability, **§ 4:17**
minor employees, permanently incapacitated, **§ 4:26**
multiple employment, **§ 4:23**
overview, **§ 4:14**
partners, **§ 4:33**
part-time employment, **§ 4:24**
pay period, wages paid by, **§ 4:22**
peace officers injured in performance of duty, **§ 4:28**
permanent full-time employment, **§ 4:21**
previous disabilities or compensation, employees with, **§ 4:30**

COMPUTATION OF TEMPORARY AND PERMANENT DISABILITY —Cont'd
Average weekly earnings, computation of—Cont'd
prison inmates, **§ 4:31**
public safety officers injured after termination of active service, **§ 4:29**
seasonal employment, **§ 4:25**
special computation laws, employees subject to
generally, **§ 4:26 to 4:34**
antipoverty program workers, **§ 4:32**
juvenile offenders, **§ 4:31**
military personnel, state, **§ 4:34**
minor employees, permanently incapacitated, **§ 4:26**
partners, **§ 4:33**
peace officers injured in performance of duty, **§ 4:28**
previous disabilities or compensation, employees with, **§ 4:30**
prison inmates, **§ 4:31**
public safety officers injured after termination of active service, **§ 4:29**
volunteer firefighters injured in performance of duty, **§ 4:27**
specific types of employment, computations for
generally, **§ 4:19 to 4:25**
earning capacity, **§ 4:20**
irregular wages, **§ 4:22**
multiple employment, **§ 4:23**
part-time employment, **§ 4:24**
pay period, wages paid by, **§ 4:22**
permanent full-time employment, **§ 4:21**

COMPUTATION OF TEMPORARY AND PERMANENT DISABILITY —Cont'd
Average weekly earnings, computation of—Cont'd
specific types of employment, computations for—Cont'd
seasonal, intermittent, or temporary employment, **§ 4:25**
statutory formula, **§ 4:19**
statutory formula, **§ 4:19**
temporary employment, **§ 4:25**
time of injury, **§ 4:16**
volunteer firefighters injured in performance of duty, **§ 4:27**
what constitutes average weekly earnings, **§ 4:15**
Categories of disability
Permanent disability, below
Temporary disability, below
Cumulative injuries or occupational disease, **§ 4:12**
Disability payments. Payments, below
Forms
generally, **§ 4:46 to 4:50**
permanent disability benefits schedule, **§ 4:46, 4:47**
temporary and permanent disability and death benefits schedules, **§ 4:48**
temporary disability indemnity, petition to terminate liability, **§ 4:49**
treating physician's failure to provide adequate reports, letter notifying employer of duty to contact, **§ 4:50**
Juvenile offenders, average weekly earnings, **§ 4:31**
Late payments, **§ 4:38**
Leave of absence with pay in lieu of temporary disability benefits, **§ 4:43**

COMPUTATION OF TEMPORARY AND PERMANENT DISABILITY —Cont'd
Life pension, **§ 4:45**
Manner of payment, **§ 4:36**
Military personnel, state, average weekly earnings, **§ 4:34**
Minor employees, permanently incapacitated, **§ 4:26**
Partners, average weekly earnings, **§ 4:33**
Payments
generally, **§ 4:35 to 4:45**
delayed or refused payment. Penalties (this index)
late payments, **§ 4:38**
life pension, **§ 4:45**
manner of payment, **§ 4:36**
overview, **§ 4:35**
permanent disability, **§ 4:44, 4:45**
Temporary disability, below
time for payments, **§ 4:37**
Peace officers injured in performance of duty, **§ 4:28**
Permanent disability
generally, **§ 4:5**
apportionment
generally, **§ 4:7 to 4:13**
cumulative injuries or occupational disease, **§ 4:12**
overview, **§ 4:7**
preexisting disease, aggravation of, **§ 4:10**
prior disability, **§ 4:9**
reform of April 2007 and comparison with prior law, **§ 4:7, 4:8**
Subsequent Injuries Fund, compensation from, **§ 4:13**
subsequent unrelated nonindustrial injury, **§ 4:11**

COMPUTATION OF TEMPORARY AND PERMANENT DISABILITY —Cont'd
Permanent disability—Cont'd
average weekly earnings, computation of, minimum and maximum rates, **§ 4:17, 4:18**
benefits schedule
generally, **§ 4:46**
cumulative effect, **§ 4:47**
temporary and permanent disability and death benefits schedules, **§ 4:48**
cumulative injuries or occupational disease, **§ 4:12**
life pension, **§ 4:45**
overview, **§ 4:5**
payments, amount and duration, **§ 4:44**
preexisting disease, aggravation of, **§ 4:10**
prior disability, **§ 4:9**
ratings, **§ 4:6**
reform of April 2007 and comparison with prior law, **§ 4:7, 4:8**
Subsequent Injuries Fund, compensation from, **§ 4:13**
subsequent unrelated nonindustrial injury, **§ 4:11**
Preexisting disease, aggravation of, **§ 4:10**
Prior disability
average weekly earnings, employees with previous disabilities or compensation, **§ 4:30**
permanent disability, apportionment of, **§ 4:9**
Prison inmates, average weekly earnings, **§ 4:31**
Public safety officers injured after termination of active service, **§ 4:29**
Ratings, permanent disability, **§ 4:6**

COMPUTATION OF TEMPORARY AND PERMANENT DISABILITY —Cont'd
Reform of April 2007 and comparison with prior law, **§ 4:7, 4:8**
Subsequent Injuries Fund, compensation from, **§ 4:13**
Subsequent unrelated nonindustrial injury, **§ 4:11**
Temporary disability
generally, **§ 4:1 to 4:4**
aggregate payments for single injury causing temporary disability, **§ 4:41**
amount of payments, **§ 4:39**
average weekly earnings, computation of, minimum and maximum rates, **§ 4:17**
benefits schedule, temporary and permanent disability and death benefits, **§ 4:48**
decreasing or terminating temporary disability, petition, **§ 4:42**
leave of absence with pay in lieu of temporary disability benefits, **§ 4:43**
no apportionment of temporary disability, **§ 4:4**
overview, **§ 4:1**
payments
generally, **§ 4:39 to 4:43**
aggregate payments for single injury causing temporary disability, **§ 4:41**
amount of payments, **§ 4:39**
decreasing or terminating temporary disability, petition, **§ 4:42**
leave of absence with pay in lieu of temporary disability benefits, **§ 4:43**
waiting period, **§ 4:40**

COMPUTATION OF TEMPORARY AND PERMANENT DISABILITY —Cont'd
Temporary disability—Cont'd
temporary partial disability, **§ 4:2**
temporary total disability, **§ 4:3**
terminating liability for temporary disability indemnity, petition, **§ 4:49**
waiting period, **§ 4:40**
Time for payments, **§ 4:37**
Volunteer firefighters injured in performance of duty, **§ 4:27**

CONDITIONS OF COMPENSATION
Generally, **§ 1:42 to 1:47**
Altercation, injury to initial physical aggressor, **§ 1:45**
Felonies and other criminal conduct, injury from, **§ 1:46**
Intoxication, **§ 1:43**
Post-termination claims for prior injuries, **§ 1:42**
Recreational, social, or athletic activity, injuries arising from, **§ 1:47**
Self-inflicted injury, **§ 1:44**
Suicide, **§ 1:44**

CONSOLIDATION
Tort actions against third parties, **§ 16:18**

CONSTITUTIONAL LAW
Workers' compensation system, constitutional authority, **§ 1:2**

CONSTRUCTION TRADES
Alternative dispute resolution, **§ 9:18**

CONTEMPT
WCAB, contempt power, **§ 1:19**

CONTINUANCE
Hearing procedure, **§ 9:25**

CONTRIBUTION
Cumulative injury, petition and order of contribution under award for, **§ 13:39, 13:40**
Employers and insurers liable for contribution, **§ 13:29**
Occupational disease and cumulative injury liability, **§ 13:28**
Time limits, petition for contribution, **§ 1:83**

COSTS
Judicial review, **§ 11:27**
Lien claims, medical expenses, **§ 12:4**

COURSE OF EMPLOYMENT
Generally, **§ 1:56 to 1:67**
Breaks, injury during, **§ 1:60**
Bunkhouse rule, **§ 1:58**
Going and Coming Rule (this index)
Nature of requirement, **§ 1:56**
Performing work in forbidden manner, **§ 1:59**
Personal activities, injury during, **§ 1:60**
Regular work hours or duties, injury outside, **§ 1:57**
Unauthorized acts, **§ 1:59**

CREDITORS
Attorney for applicant, notifying creditors, **§ 6:11, 6:52**

CREDIT RIGHTS
Employers' Credit Rights (this index)

CRIME VICTIM INDEMNIFICATION
Lien claims, **§ 12:9**

CRIMINAL CONDUCT
Injury from, **§ 1:46**

CUMULATIVE INJURY
Types of injuries, **§ 1:69**

DAMAGES
Tort actions against employers, **§ 15:22**
Tort Actions Against Third Parties (this index)

DATA ENTRY SHEET
Form, **§ 1:88**

DEATH BENEFITS
Generally, **§ 3:1 to 3:37**
Forms, **§ 3:32 to 3:37**
Accrued compensation, **§ 3:1**
Application for adjudication of claim, **§ 3:33, 3:34**
Asbestosis cases, limitations period, **§ 3:6**
Benefits available
  generally, **§ 3:1 to 3:4**
  accrued compensation, **§ 3:1**
  burial expenses, **§ 3:2**
  death benefit, **§ 3:3**
  pre-existing disease, effect of, **§ 3:4**
Benefits schedule, temporary and permanent disability and death benefits, **§ 4:48**
Burial expenses, **§ 3:2**
Compromise and release, **§ 3:17, 3:35**
Date of injury
  dependency, for purposes of, **§ 3:21**
  limitations period, **§ 3:5**
Dependents
  allocation to, **§ 3:11**
  date of injury for purposes of dependency, **§ 3:21**
  death of dependent, **§ 3:16**
  death without dependents, **§ 3:14**
  determination of dependency
    generally, **§ 3:18 to 3:24**
    date of injury for purposes of dependency, **§ 3:21**
    fact question, dependency as, **§ 3:20**

DEATH BENEFITS—Cont'd
Dependents—Cont'd
determination of dependency—Cont'd
familial dependents, **§ 3:22**
good faith members of household, **§ 3:23**
presumption of dependency, **§ 3:19**
relevance of dependency, **§ 3:18**
spousal dependency, **§ 3:24**
fact question, dependency as, **§ 3:20**
familial dependents, **§ 3:22**
good faith members of household, **§ 3:23**
presumption of dependency, **§ 3:19**
relevance of dependency, **§ 3:18**
spousal dependency, determining, **§ 3:24**
Dept. of Industrial Relations, procedure for payment to, **§ 3:15**
Fact question, dependency as, **§ 3:20**
Familial dependents, **§ 3:22**
Forms
generally, **§ 3:32 to 3:37**
application for adjudication of claim (death case)
DIA WCAB Form 2, **§ 3:33**
WCAB Form 1A, **§ 3:32**
compromise and release (dependency claim), DIA WCAB Form 10214(d), **§ 3:35**
guardian ad litem and trustee, petition for appointment, DIA WCAB Form 8, **§ 3:34**
notice of employee death, DIA Form 510, **§ 3:37**
stipulation with request for award (death case), DIA WCAB Form 10214(b), **§ 3:36**
Guardian ad litem and trustee, petition for appointment, DIA WCAB Form 8, **§ 3:34**

DEATH BENEFITS—Cont'd
HIV-related disease cases, limitations period, **§ 3:7**
Limitations period
generally, **§ 3:5**
asbestosis cases, **§ 3:6**
date of injury, **§ 3:5**
HIV-related disease cases, **§ 3:7**
tolling, **§ 3:8**
Lump sum payments, **§ 3:13**
Manner of payment, **§ 3:10**
Notice of employee death, DIA Form 510, **§ 3:37**
Payments
Dept. of Industrial Relations, procedure for payment to, **§ 3:15**
lump sum payments, **§ 3:13**
manner of payment, **§ 3:10**
PERS members, **§ 3:25**
Pre-existing disease, effect of, **§ 3:4**
Presumption of dependency, **§ 3:19**
Public employees, special rules
generally, **§ 1:74, 3:25 to 3:27**
PERS members, **§ 3:25**
procedure on application for death benefit, **§ 3:26**
scholarships for dependents of certain employees, **§ 3:27**
Public officials
generally, **§ 3:28 to 3:31**
choice of benefit, **§ 3:30**
entitlement to special death benefit, **§ 3:28**
persons to whom benefit is payable, **§ 3:29**
processing claim for special death benefit, **§ 3:31**
Reassigning, **§ 3:12**
Setting apart, **§ 3:12**
Spousal dependency, determining, **§ 3:24**
Statutory rate of death benefit, **§ 3:9**

DEATH BENEFITS—Cont'd
Stipulation with request for award (death case), DIA WCAB Form 10214(b), **§ 3:36**
Time limits, **§ 1:82**
Tolling limitations period, **§ 3:8**

DECISION
Hearing Procedure (this index)

DECLARATIONS OF READINESS
Hearing Procedure (this index)

DEFENSE COUNSEL
Generally, **§ 6:80 to 6:115**
Forms, **§ 6:101 to 6:115**
Additional issues, identifying, **§ 6:86**
AME letter and medicals, file memorandum regarding, **§ 6:112**
AME or QME, selecting, **§ 6:99, 6:100**
Anti-kickback affidavit, **§ 6:88, 6:102**
Appointment request file memorandum, **§ 6:110**
Attendance at medical examination, order compelling, **§ 6:114**
Defenses, available, **§ 6:84**
Discovery
- generally, **§ 6:89 to 6:100**
- additional discovery, ascertaining need for, **§ 6:96**
- AME or QME, selecting, **§ 6:99, 6:100**
- April 2004 reform, medical evaluation after, **§ 6:90**
- completing medical file before 1991, **§ 6:89**
- Depositions (this index)
- disability rating, medical evaluation relating to, **§ 6:91**
- file, reviewing, **§ 6:94**
- medical records and reports, **§ 6:98**
- medical records and reports, obtaining, **§ 6:97, 6:98**

DEFENSE COUNSEL—Cont'd
Discovery—Cont'd
- role of defense counsel, **§ 6:95**

Employment status, **§ 6:82**
Evaluation of file
- generally, **§ 6:80 to 6:88**
- additional issues, identifying, **§ 6:86**
- anti-kickback affidavit, **§ 6:88**
- counsel's rights and duties, **§ 6:80**
- defenses, available, **§ 6:84**
- employment status, **§ 6:82**
- identifying proper defendants, **§ 6:83**
- medical issues, considering, **§ 6:87**
- ninety-day investigation period, **§ 6:81**
- third-party liability, ascertaining, **§ 6:85**

Examination and report, letter to QME or AME, **§ 6:113**
File at a glance, **§ 6:108**
Forms
- generally, **§ 6:101 to 6:115**
- AME letter and medicals, file memorandum regarding, **§ 6:112**
- anti-kickback affidavit, **§ 6:102**
- appointment request file memorandum, **§ 6:110**
- attendance at medical examination, order compelling, **§ 6:114**
- Depositions (this index)
- examination and report, letter to QME or AME, **§ 6:113**
- file at a glance, **§ 6:108**
- notice of representation of defendant, **§ 6:101**
- preliminary medical report sheet, **§ 6:115**
- QME or AME examination appointment, notice to claimant, **§ 6:111**

DEFENSE COUNSEL—Cont'd
Forms—Cont'd
release of medical records, authorization, **§ 6:109**
Identifying proper defendants, **§ 6:83**
Medical evaluation
after April 2004 reform, **§ 6:90**
disability rating, **§ 6:91**
Medical issues, considering, **§ 6:87**
Medical records
authorization for release, **§ 6:109**
obtaining, **§ 6:97, 6:98**
Ninety-day investigation period, **§ 6:81**
Notice of representation of defendant, **§ 6:101**
Preliminary medical report sheet, **§ 6:115**
QME or AME examination appointment, notice to claimant, **§ 6:111**
Reports, obtaining, **§ 6:97, 6:98**
Rights and duties, **§ 6:80**
Third-party liability, ascertaining, **§ 6:85**

DEFINITIONS
Injury, **§ 1:68**
Vocational rehabilitation, **§ 14:3**

DEPENDENTS
Death Benefits (this index)

DEPOSITIONS
Applicant, deposing, **§ 6:92**
Attorneys' fees, request for, **§ 6:63**
Calendar file memorandum, **§ 6:106, 6:107**
Forms
attorneys' fees, request for, **§ 6:63**
calendar file memorandum, **§ 6:106, 6:107**
inquiries, **§ 6:104**
instructions and informational sheet, **§ 6:62**
notice of deposition, **§ 6:61, 6:103**

DEPOSITIONS—Cont'd
Forms—Cont'd
scheduling request form, **§ 6:105**
Inquiries, **§ 6:104**
Instructions and informational sheet, **§ 6:62**
Notice of deposition, **§ 6:61, 6:103**
Scheduling and conducting, **§ 6:93**
Scheduling request form, **§ 6:105**
Subpoena of records, deposition and, **§ 6:20**
Transcripts of testimony, documentary evidence, **§ 9:35**

DISABILITY PAYMENTS
Computation of Temporary and Permanent Disability (this index)

DISCOVERY
Attorney for Applicant (this index)
Defense Counsel (this index)
Depositions (this index)

DISCRIMINATION AGAINST INJURED EMPLOYEES
Penalties (this index)

DISMISSAL
Claims Procedures (this index)

DIVISION OF WORKERS' COMPENSATION
Administrative Director, **§ 1:13**
Court Administrator, **§ 1:13**

DOCUMENTARY EVIDENCE
Hearing Procedure (this index)

DOMESTIC WORKERS
Employment relationship, **§ 1:33**

DUAL PURPOSE EXCEPTION
Going and coming rule, **§ 1:67**

EMPLOYERS' CREDIT RIGHTS
Generally, **§ 17:1 to 17:15**
Forms, **§ 17:12 to 17:15**
Amount of credit determination, **§ 17:5**

EMPLOYERS' CREDIT RIGHTS —Cont'd
Amount of credit—Cont'd
reduction for employer negligence, **§ 17:6**
Appeals Board jurisdiction, **§ 17:7**
Application of credit against benefits, **§ 17:3**
Benefits against which credit applies, **§ 17:2**
Conditional order granting petition, **§ 17:14**
Forms
generally, **§ 17:12 to 17:15**
conditional order granting petition, **§ 17:14**
objection to credit, **§ 17:14**
order granting petition, **§ 17:13**
petition, **§ 17:12**
Jurisdiction of Appeals Board, **§ 17:7**
Negligence, employer's, reduction of amount, **§ 17:6**
No objection to petition, **§ 17:10**
Objection to petition, **§ 17:11, 17:15**
Order granting petition, **§ 17:13**
Petition for credit, **§ 17:9, 17:12**
Reduction for employer negligence, **§ 17:6**
Right to credit
generally, **§ 17:1 to 17:4**
application of credit against benefits, **§ 17:3**
benefits against which credit applies, **§ 17:2**
overview, **§ 17:1**
waiver, **§ 17:4**
Time for granting credit, **§ 17:8**

EMPLOYMENT DEVELOPMENT DEPARTMENT
Disability claim, notifying EDD, **§ 6:10, 6:51**
Lien claim by EDD, effect of, **§ 12:13**

EMPLOYMENT DISCRIMINATION OR HARASSMENT
Exclusive remedy rule, **§ 15:16**

EMPLOYMENT RELATIONSHIP
Generally, **§ 1:26 to 1:41**
Athletic activity participants and officials, **§ 1:38**
Charitable aid, persons providing services to receive, **§ 1:37**
Contract for hire, requirement of, **§ 1:27**
Definition, statutory, of employee and employer, **§ 1:30**
Domestic workers, **§ 1:33**
Election to come under Act, **§ 1:41**
Firefighters, **§ 1:32**
General and special employment, **§ 1:28**
Independent contractors, **§ 1:29**
Job applicants, **§ 1:39**
Juvenile court wards, **§ 1:36**
Law enforcement personnel, **§ 1:31**
Miscellaneous persons, **§ 1:40**
Other persons covered or excluded by statute, **§ 1:40**
Pre-employment try-out, **§ 1:39**
Presumption of employment, **§ 1:26**
Probationers, **§ 1:36**
Public and nonprofit agencies, volunteers for, **§ 1:34**
Requirement of relationship, **§ 1:26**
Special employment, **§ 1:28**
Traffic offenders, **§ 1:36**
Volunteers, **§ 1:34, 1:35**

EXCLUSIVE REMEDY RULE
Generally, **§ 15:1 to 15:23**
Assault, **§ 15:11, 15:23**
Breach of contract, **§ 15:17**
Circumstances of employment
generally, **§ 15:5 to 15:10**
conditions of compensation unmet, **§ 15:9**

EXCLUSIVE REMEDY RULE —Cont'd
Circumstances of employment —Cont'd
dual capacity, **§ 15:7**
multiple employers, **§ 15:6**
risks not assumed under compensation bargain, **§ 15:10**
status as employee, **§ 15:5**
uninsured employer, **§ 15:8**
Conditions of compensation unmet, **§ 15:9**
Dual capacity, **§ 15:7**
Exceptions, **§ 15:2, 15:25**
Fraudulent concealment, **§ 15:12**
Multiple employers, **§ 15:6**
Negligent medical care, **§ 15:15**
Other employees, actions against, **§ 15:24, 15:25**
Particular causes of actions
generally, **§ 15:11 to 15:17**
assault, **§ 15:11**
breach of contract, **§ 15:17**
fraudulent concealment, **§ 15:12**
negligent medical care, **§ 15:15**
power press guard, failure to provide, **§ 15:14**
products liability, **§ 15:13**
wrongful termination, discrimination, or harassment, **§ 15:16**
Particular injuries, **§ 15:4**
Persons barred from bringing action, **§ 15:3**
Power press guard, failure to provide, **§ 15:14**
Products liability, **§ 15:13**
Risks not assumed under compensation bargain, **§ 15:10**
Status as employee, **§ 15:5**
Statutory exceptions, **§ 15:2, 15:25**
Tort Actions against Employers (this index)
Tort actions against third parties, **§ 16:32**

EXCLUSIVE REMEDY RULE —Cont'd
Uninsured employer, **§ 15:8**
Wrongful termination, discrimination, or harassment, **§ 15:16**

EXHIBITS
Judicial review, **§ 11:15**
Reconsideration, **§ 10:17**

FEDERAL EMPLOYEES' COMPENSATION ACT
Jurisdiction, **§ 1:24**

FEDERAL EMPLOYERS LIABILITY ACT
Jurisdiction, **§ 1:23**

FELONIES
Injury from, **§ 1:46**

FINDINGS OF FACT
Posttrial procedure, **§ 9:47**

FIREFIGHTERS
Employment relationship, **§ 1:32**
Scholarships for dependents of peace and firefighters, **§ 1:75**
Volunteer firefighters injured in performance of duty, computation of average weekly earnings, **§ 4:27**

FIREMAN'S RULE
Tort actions against third parties, **§ 16:33**

FRAUD
Exclusive remedy rule, fraudulent concealment, **§ 15:12**
Reconsideration, statutory grounds, **§ 10:3**

GOING AND COMING RULE
Generally, **§ 1:61 to 1:67**
Commercial traveler exception, **§ 1:61**
Dual purpose exception, **§ 1:67**

GOING AND COMING RULE —Cont'd
Exceptions
commercial traveler exception, **§ 1:61**
dual purpose exception, **§ 1:67**
special mission exception, **§ 1:63**
special risk exception, **§ 1:65**
transportation required or provided by employer, exception where, **§ 1:66**
wages covered time of injury, **§ 1:64**
work done at home, **§ 1:67**
Extension of premises under rule, **§ 1:62**
Special mission exception, **§ 1:63**
Special risk exception, **§ 1:65**
Transportation required or provided by employer, exception where, **§ 1:66**
Wages covered time of injury, exception where, **§ 1:64**
Work done at home, **§ 1:67**

GOOD CAUSE
Supplemental Proceedings (this index)

GUARDIAN AD LITEM
Death benefits, petition for appointment, DIA WCAB Form 8, **§ 3:34**

HABEAS CORPUS, WRIT OF
Generally, **§ 11:5**

HEARING PROCEDURE
Generally, **§ 9:1 to 9:74**
Forms, **§ 9:60 to 9:74**
Answer, **§ 9:62**
Answer, WCAB/DWC Form 10, **§ 9:61**
Application, **§ 9:3**
Application for adjudication of claim, DWC WCAB Form 1A (Rev. 5/2020), **§ 9:60**
Arbitration (this index)

HEARING PROCEDURE —Cont'd
Award, collection and enforcement
generally, **§ 9:54 to 9:59**
conversion of judgment, **§ 9:55**
insolvency, **§ 9:59**
Labor Commissioner, **§ 9:58**
procedures available, **§ 9:54**
stay of execution, **§ 9:56**
Uninsured Employers Fund, **§ 9:57**
Award, posttrial procedure, **§ 9:48**
Board file, availability, **§ 9:53**
Burden of proof, **§ 9:40**
Challenge to assigned WCJ
generally, **§ 9:21**
automatic reassignment, **§ 9:22, 9:65**
disqualification for cause, **§ 9:23**
recusal, **§ 9:24**
Conclusive presumptions, **§ 9:41**
Conduct of hearing, **§ 9:27**
Conference hearings, **§ 9:6**
Continuance, **§ 9:25**
Conversion of judgment, **§ 9:55**
Decision
opinion on decision, **§ 9:50**
time for decision, **§ 9:46**
Declarations of readiness, **§ 9:2, 9:74**
Declarations of readiness, DWC-CA form 10250.1, **§ 9:63**
Declarations of readiness, DWC-WCAB form 10208.3, **§ 9:64**
Deposition testimony, transcripts of, **§ 9:35**
Direct medical testimony, **§ 9:31**
Documentary evidence
generally, **§ 9:33 to 9:39**
deposition testimony, transcripts of, **§ 9:35**
filing and serving reports and records, duty, **§ 9:39**
medical fee schedule, **§ 9:38**
medical records, **§ 9:36**

HEARING PROCEDURE —Cont'd
Documentary evidence—Cont'd
medical reports, **§ 9:34**
nature of evidence, **§ 9:33**
nonmedical records, **§ 9:37**
records, medical and nonmedical, **§ 9:36, 9:37**
Evidence
Documentary evidence, above
weight of evidence, **§ 9:44**
Expedited hearings, **§ 9:8**
Failure to appear, **§ 9:20**
Filing and serving reports and records, duty, **§ 9:39**
Final determinations, service of, **§ 9:51**
Findings of fact, **§ 9:47**
Forms
generally, **§ 9:60 to 9:74**
answer, **§ 9:62**
answer, WCAB/DWC Form 10, **§ 9:61**
application for adjudication of claim, DWC WCAB Form 1A (Rev. 5/2020), **§ 9:60**
automatic reassignment, petition for, DIA WCAB Form 115, **§ 9:65**
declarations of readiness, **§ 9:74**
declarations of readiness, DWC-CA form 10250.1, **§ 9:63**
declarations of readiness, DWC-WCAB form 10208.3, **§ 9:64**
expedited hearing and decision, declaration of readiness, **§ 9:64**
notice of hearing, **§ 9:68**
notice to attend and produce, **§ 9:69**
subpoena, DWC WCAB 30, **§ 9:66**
subpoena duces tecum, DWC WCAB 32, **§ 9:67**

HEARING PROCEDURE —Cont'd
Forms—Cont'd
walk-through declarations of readiness, request for, **§ 9:74**
WCAB case file, request to view, DWC Form AD-1, **§ 9:73**
WCAB case number search, request for, DWC Form AD-3, **§ 9:72**
Interest, **§ 9:52**
Interpreters, **§ 9:30**
Issues, **§ 9:28**
Judgment, conversion of, **§ 9:55**
Lay testimony, **§ 9:29**
Medical fee schedule, **§ 9:38**
Medical records, **§ 9:36**
Medical reports, **§ 9:34**
New hearing date, confirmation of, **§ 6:73**
Notice of hearing, **§ 6:71, 9:19, 9:68**
Notice to attend and produce, **§ 9:69**
Objections after notice
generally, **§ 9:19 to 9:26**
Challenge to assigned WCJ, above
continuance, **§ 9:25**
failure to appear, **§ 9:20**
notice, **§ 9:19**
order taking off calendar, **§ 9:26**
Objections to request for setting, **§ 9:4**
Opinion on decision, **§ 9:50**
Order taking off calendar, **§ 9:26**
Posttrial procedure
generally, **§ 9:45 to 9:53**
awards, **§ 9:48**
Board file, availability, **§ 9:53**
disposition, **§ 9:45**
final determinations, service of, **§ 9:51**
findings of fact, **§ 9:47**
interest, **§ 9:52**
opinion on decision, **§ 9:50**
repeal of § 4065, **§ 9:49**

HEARING PROCEDURE —Cont'd
Posttrial procedure—Cont'd
time for decision, **§ 9:46**
Prehearing stipulations, **§ 9:28**
Presumptions
conclusive, **§ 9:41**
rebuttable, **§ 9:42**
Pretrial conference and rating, **§ 9:7**
Readiness. Declarations of readiness, above
Rebuttable presumptions, **§ 9:42**
Reform legislation, effect of, **§ 9:1**
Regular and conference hearings, **§ 9:6**
Repeal of § 4065, **§ 9:49**
Requests for hearings
generally, **§ 9:1 to 9:5**
application, **§ 9:3**
declaration of readiness, **§ 9:2**
objections to request for setting, **§ 9:4**
reform legislation, effect of, **§ 9:1**
venue, **§ 9:5**
Service of final determinations, **§ 9:51**
Settlement conferences. Settlement (this index)
Stay of execution, **§ 9:56**
Stipulations, **§ 9:28, 9:43**
Subpoena, , DWC WCAB 30, **§ 9:66**
Subpoena, DWC WCAB 32, **§ 9:67**
Taking off calendar, order, **§ 9:26**
Testimony
generally, **§ 9:29 to 9:32**
direct medical testimony, **§ 9:31**
interpreters, **§ 9:30**
lay testimony, **§ 9:29**
visual documentation, **§ 9:32**
Time for decision, **§ 9:46**
Uninsured Employers Fund, collection and enforcement of award, **§ 9:57**
Venue, **§ 9:5**

HEARING PROCEDURE —Cont'd
Visual documentation, **§ 9:32**
WCAB case file, request to view, DWC Form AD-1, **§ 9:73**
Weight of evidence, **§ 9:44**

HORSEPLAY
Injury arising out of employment, **§ 1:51**

HOURS OF WORK
Regular work hours or duties, injury outside, **§ 1:57**

HUSBAND AND WIFE
Death benefits, determining spousal dependency, **§ 3:24**

INDEMNITY
Tort actions against other employees, **§ 15:26**
Tort actions against third parties, **§ 16:34**

INDEPENDENT CONTRACTORS
Generally, **§ 1:29**

INDUSTRIAL MEDICAL COUNCIL
Generally, **§ 1:16**

INITIATING CLAIM
Claims Procedures (this index)

INJURY ARISING OUT OF EMPLOYMENT
Generally, **§ 1:48 to 1:55**
Altercations between employees, **§ 1:50**
Assault by employer or third party, **§ 1:49**
Burden of proof, **§ 1:48**
Factors, **§ 1:48**
Horseplay, **§ 1:51**
Medical treatment, injury from, **§ 1:54**

INJURY ARISING OUT OF EMPLOYMENT—Cont'd
Preexisting disease or condition, industrial aggravation, **§ 1:53**
Seizures, injuries following, **§ 1:52**
Termination of employment, injuries arising from, **§ 1:55**

INSOLVENCY
Award, collection and enforcement, **§ 9:59**

INSURANCE AND INSURERS
AME, letter to insurer regarding agreement on, **§ 6:57**
File-endorsed copy of application, letter to carrier transmitting, **§ 6:38**
Health insurance carrier, employee's, notifying, **§ 6:12, 6:53**
Insolvency of insurer, **§ 5:19**
Misconduct, insurance covering, **§ 5:4**
Settlement documents, letter transmitting to insurer, **§ 6:68**
Settlement proposal letter from applicant's counsel to insurer, **§ 6:64**
Tort actions against insurers, **§ 15:29, 15:30**
Workers' Compensation Insurance (this index)

INTEREST
Posttrial procedure, **§ 9:52**

INTERPRETERS
Hearing procedures, **§ 9:30**

INTERSTATE COMMERCE
Jurisdiction, **§ 1:23**

INTERVENTION
Tort Actions against Third Parties (this index)

INTERVIEWING CLIENT
Attorney for Applicant (this index)

INTOXICATION
Conditions of compensation, **§ 1:43**

JOINDER
Tort actions against third parties, **§ 16:18**

JOINT AND SEVERAL LIABILITY
Tort actions against third parties, **§ 16:39**

JUDICIAL REVIEW
Generally, **§ 11:1 to 11:34**
Forms, **§ 11:29 to 11:34**
Adequacy of Board's findings of fact to support order, decision, or award, **§ 11:10**
Answer and brief, **§ 11:21**
Appellate district, proper, **§ 11:18**
Attorneys' fees, **§ 11:27**
Available remedies
  generally, **§ 11:1**
  habeas corpus, writ of, **§ 11:5**
  mandate, writ of, **§ 11:3**
  prohibition, writ of, **§ 11:4**
  Review, writ of, below
California Supreme Court, review by, **§ 11:26**
Checklist, petitioning for review and responding to petition, **§ 11:28**
Citation of unpublished opinions of WCAB and writ denied summaries, **§ 11:22**
Costs, **§ 11:27**
Excess of powers, Board's actions, **§ 11:12**
Exhibits, **§ 11:15**
Filing petition, **§ 11:18**
Forms
  generally, **§ 11:29 to 11:34**
  defendants, allegation when petitioners are, **§ 11:33**
  dependent of deceased employee, allegation when petitioner is, **§ 11:32**
  Review, writ of, below

JUDICIAL REVIEW—Cont'd
Grant of writ, **§ 11:23**
Habeas corpus, writ of, **§ 11:5**
Hearing and decision in Court of Appeal following grant of petition, **§ 11:24**
Jurisdiction, **§ 11:1 to 11:5**
Lack of substantial evidence to support order, decision, or award, **§ 11:9**
Mandate, writ of, **§ 11:3**
Material evidence, statement of, **§ 11:15**
Overview, **§ 11:1**
Parties, **§ 11:13**
Petition. Review, writ of, below
Prohibition, writ of, **§ 11:4**
Rehearing, **§ 11:25**
Reply brief, **§ 11:21**
Return of writ, **§ 11:23**
Review, writ of
generally, **§ 11:2**
adequacy of Board's findings of fact to support order, decision, or award, **§ 11:10**
answer and brief, **§ 11:21, 11:34**
appellate district, proper, **§ 11:18**
Board's actions without or in excess of powers, **§ 11:12**
checklist, **§ 11:28**
conditions precedent
finality of order, decision, or award, **§ 11:7**
reconsideration, **§ 11:6**
waiver, **§ 11:6**
exhibits, **§ 11:15**
filing petition, **§ 11:18**
finality of order, decision, or award, **§ 11:7**
forms
answer to petition, **§ 11:34**
cover for petition, **§ 11:29**
petition and answer, **§ 11:31, 11:34**

JUDICIAL REVIEW—Cont'd
Review, writ of—Cont'd
forms—Cont'd
topical index of petition, **§ 11:30**
grant of writ, **§ 11:23**
hearing and decision in Court of Appeal following grant of petition, **§ 11:24**
lack of substantial evidence to support order, decision, or award, **§ 11:9**
material evidence, statement of, **§ 11:15**
parties, **§ 11:13**
petition
cover, **§ 11:29**
filing, **§ 11:18**
form, **§ 11:31**
format, **§ 11:16**
number of copies, **§ 11:18**
service and proof of service, **§ 11:19**
topical index, **§ 11:30**
verification, **§ 11:17**
procedure, **§ 11:13 to 11:21**
reconsideration as conditions precedent, **§ 11:6**
reply brief, **§ 11:21**
return of writ, **§ 11:23**
scope of review
generally, **§ 11:8 to 11:12**
adequacy of Board's findings of fact to support order, decision, or award, **§ 11:10**
Board's actions without or in excess of powers, **§ 11:12**
lack of substantial evidence to support order, decision, or award, **§ 11:9**
overview, **§ 11:8**
unreasonableness of award, **§ 11:11**
service and proof of service, **§ 11:19, 11:20**

JUDICIAL REVIEW—Cont'd
Review, writ of—Cont'd
stay of Board's order, decision or award, **§ 11:20**
summary denial of writ, **§ 11:22**
time limitation, **§ 11:14**
undertaking, execution of, **§ 11:20**
unreasonableness of award, **§ 11:11**
verification of petition, **§ 11:17**
waiver of conditions precedent, **§ 11:6**
Service and proof of service, **§ 11:19, 11:21**
Stay of Board's order, decision or award, **§ 11:20**
Summary denial of writ, **§ 11:22**
Time limitation, **§ 11:14**
Undertaking, execution of, **§ 11:20**
Unpublished opinions of WCAB and writ denied summaries, citation of, **§ 11:22**
Unreasonableness of award, **§ 11:11**
Verification of petition, **§ 11:17**

JURISDICTION
Generally, **§ 1:17 to 1:25**
Federal Employees' Compensation Act, **§ 1:24**
Federal Employers Liability Act, **§ 1:23**
Injury or employment outside California, **§ 1:22**
Interstate commerce, **§ 1:23**
Judicial review, **§ 11:1 to 11:5**
Sea, longshore, and harbor workers, federal remedies, **§ 1:25**
Supplemental proceedings, continuing jurisdiction, **§ 13:2**
Tort actions against employers, **§ 15:18**
Vocational rehabilitation, continuing jurisdiction, **§ 14:47**
WCAB. Workers' Compensation Appeals Board (this index)

JUVENILE COURT WARDS
Employment relationship, **§ 1:36**

JUVENILE OFFENDERS
Average weekly earnings, computation of, **§ 4:31**

KICKBACKS
Anti-kickback declarations and affidavits, **§ 6:34, 6:88, 6:102**

LABOR COMMISSIONER
Award, collection and enforcement, **§ 9:58**

LAW ENFORCEMENT PERSONNEL
Average weekly earnings, computation of, peace officers injured in performance of duty, **§ 4:28**
Employment relationship, **§ 1:31**
Scholarships for dependents of peace and firefighters, **§ 1:75**

LIEN CLAIMS
Generally, **§ 12:1 to 12:26**
Forms, **§ 12:25, 12:26**
Allowable liens
generally, **§ 12:1 to 12:11**
allowable liens, **§ 12:2**
asbestos workers' benefits, **§ 12:10**
attorneys' fees, **§ 12:3**
burial expenses, **§ 12:7**
crime victim indemnification, **§ 12:9**
living expenses, **§ 12:6**
medical expenses, **§ 12:4**
medical-legal expenses, **§ 12:5**
overview, **§ 12:1**
taxes, **§ 12:11**
unemployment benefits, **§ 12:8**
Asbestos workers' benefits, **§ 12:10**
Attorneys' fees, **§ 12:3, 12:18**
Burden of proof, **§ 12:16**
Burial expenses, **§ 12:7**

LIEN CLAIMS—Cont'd
Compromise and settlement
generally, **§ 7:12**
lien claimant, effect on, **§ 12:23**
procedure, **§ 12:22**
unemployment compensation lien claims, effect on, **§ 12:24**
Consolidation, **§ 12:21**
Crime victim indemnification, **§ 12:9**
Dismissal, pre-hearing request, **§ 12:20**
EDD, effect of lien claim by, **§ 12:13**
Filing claim, **§ 8:18, 12:12**
Forms
lien objection letter, **§ 12:26**
notice and request for allowance of lien, **§ 12:25**
Living expenses, **§ 12:6**
Medical expenses, **§ 12:4**
Medical-legal expenses, **§ 12:5**
No lien requested, board's powers, **§ 12:14**
Notice and request for allowance of lien, **§ 12:25**
Objection to claim, **§ 12:15, 12:26**
Payment, pre-hearing request, **§ 12:20**
Physician, letter to, and instructions on filing, **§ 2:79, 2:80**
Pre-hearing requests for payment or dismissal of claims, **§ 12:20**
Taxes, **§ 12:11**
Time for resolution, **§ 12:19**
Unemployment benefits, **§ 12:8, 12:24**
WCAB's determination, **§ 12:17**

LIMITATION OF ACTIONS
Death Benefits (this index)
Serious and willful misconduct, **§ 5:11**
Tort actions against employers, **§ 15:21**
Tort actions against third parties, **§ 16:31**

MAIL
Service by mail, declaration, **§ 6:36**

MANDATE, WRIT OF
Generally, **§ 11:3**

MEDICAL EVALUATIONS
Attorney for Applicant (this index)
Reform of 2012, **§ 6:90**

MEDICAL EXAMINATIONS
AME letter and medicals, file memorandum regarding, **§ 6:112**
Attendance at medical examination, compelling, **§ 6:114, 8:55, 8:56**
Barring benefits for failure to appear, petition and order, **§ 8:57, 8:58**
Examination and report, letter to QME or AME, **§ 6:113**
Preliminary medical report sheet, **§ 6:115**
QME or AME examination appointment, notice to claimant, **§ 6:111**

MEDICAL EXPENSES
Lien claims, **§ 12:4**

MEDICAL-LEGAL BILLS
Claims Procedures (this index)

MEDICAL MALPRACTICE
Exclusive remedy rule, negligent medical care, **§ 15:15**

MEDICAL PROVIDER NETWORKS
Medical Treatment (this index)

MEDICAL RECORD, POSTREFORM DEVELOPMENT
Claims Procedures (this index)

MEDICAL RECORDS
Authorization for release, **§ 6:109**
Defense counsel obtaining, **§ 6:97, 6:98**
Documentary evidence, **§ 9:36**

MEDICAL TREATMENT
Generally, **§ 2:1 to 2:83**
Forms, **§ 2:71 to 2:83**
Acupuncture treatment. Employee covered by contract with health care organization, below
Chiropractic treatment. Employee covered by contract with health care organization, below
Denial of benefits, letter to carrier, form, **§ 2:74**
Employee covered by contract with health care organization
generally, **§ 2:43 to 2:60**
acupuncture treatment, request for
dispute resolution, **§ 2:56**
duty to provide, **§ 2:55**
guidelines, **§ 2:56**
certification as health care organization, duration, **§ 2:51**
change of physician, **§ 2:54**
chiropractic treatment, request for
dispute resolution, **§ 2:56**
duty to provide, **§ 2:55**
guidelines, **§ 2:56**
collective bargaining, effect of, **§ 2:49**
control of treatment, employee's, **§ 2:57 to 2:60**
coverage when employer or workers' comp insurer no longer contracts with treating health care organization, **§ 2:60**
effect of contract, **§ 2:48**
fees, **§ 2:50**
governing law, **§ 2:46**
health care organization, choosing, **§ 2:52, 2:53**
limitations, **§ 2:46**
nature of contract, **§ 2:47**
nonoccupational injuries
coverage after 180 days, **§ 2:59**

MEDICAL TREATMENT —Cont'd
Employee covered by contract with health care organization—Cont'd
nonoccupational injuries —Cont'd
effect of coverage for, **§ 2:57**
no coverage after 90 days, **§ 2:58**
notice to employees, **§ 2:47**
personal physician, designating, **§ 2:52**
provider of treatment, choice and change
change of physician, **§ 2:54**
health care organization, choosing, **§ 2:52, 2:53**
personal physician, designating, **§ 2:52**
scope, **§ 2:46**
Employee not covered by contract with health care organization
generally, **§ 2:3 to 2:45**
apportionment, **§ 2:5**
artificial members and other devices, injury to, **§ 2:14**
disability indemnity, distinguished from, **§ 2:4**
disputes
resolution of disputes, **§ 2:45**
treatment dissolute issues under Lab. Code § 4062, **§ 2:42**
duration, **§ 2:6**
duty to provide treatment, **§ 2:3**
employee health plan, effect of
physician and treatment within employee benefit plan, **§ 2:27**
physician or treatment not within employee benefit plan, **§ 2:28**
employee rights, notice of, **§ 2:9, 2:71**
exclusive provider, health care service plan as, **§ 2:7**

MEDICAL TREATMENT —Cont'd
Employee not covered by contract with health care organization —Cont'd
extent of benefit
generally, **§ 2:10 to 2:15**
artificial members and other devices, injury to, **§ 2:14**
medical examination expenses, **§ 2:15**
Physicians, below this subgroup
Required treatment, below this subgroup
treatment per agreement, **§ 2:13**
family counselor, treatment by, **§ 2:17**
fees
generally, **§ 2:21 to 2:25**
collection from employee, **§ 2:25**
contested fees, **§ 2:24**
employee health plan, effect of
generally, **§ 2:26**
medical fee schedule, fee different from, **§ 2:26**
physician and treatment within employee benefit plan, **§ 2:27**
physician or treatment not within employee benefit plan, **§ 2:28**
Medical fee schedule, below this subgroup
reasonableness, **§ 2:21**
first aid and emergency treatment, **§ 2:20**
housekeeping services, **§ 2:19**
injury, notice of, **§ 2:8**
medical examination expenses, **§ 2:15**
medical fee schedule
generally, **§ 2:22**

MEDICAL TREATMENT —Cont'd
Employee not covered by contract with health care organization —Cont'd
medical fee schedule—Cont'd
documentary evidence, **§ 9:38**
employee health plan, fee different from schedule, **§ 2:26**
fees in excess of schedule, **§ 2:23**
notice requirements
employee rights, notice of, **§ 2:9**
injury, notice of, **§ 2:8**
nursing services by family or spouse, **§ 2:18**
physicians
change of physician
employee, change by, **§ 2:37**
employer, change by, **§ 2:38**
definition of physician, **§ 2:11**
doctor not licensed in California, **§ 2:12**
employee, selection by
generally, **§ 2:30 to 2:36**
consulting physician, **§ 2:32**
duties of employee, **§ 2:34**
duties of employer, **§ 2:36**
duties of selected physician or facility, **§ 2:35**
employee's own expense, **§ 2:33**
predesignation of personal physician, **§ 2:30, 2:72**
thirty days after injury, **§ 2:31**

MEDICAL TREATMENT —Cont'd
Employee not covered by contract with health care organization —Cont'd
physicians—Cont'd
employer's initial right to select, **§ 2:29**
personal physician, predesignation, **§ 2:30, 2:72**
treatment by, **§ 2:10**
refusal of treatment
generally, **§ 2:39 to 2:41**
employee's refusal to accept, **§ 2:41**
employer's refusal to provide, **§ 2:39**
resumption of control after refusal, **§ 2:40**
required treatment
generally, **§ 2:16 to 2:20**
family counselor, treatment by, **§ 2:17**
first aid and emergency treatment, **§ 2:20**
housekeeping services, **§ 2:19**
nursing services by family or spouse, **§ 2:18**
overview, **§ 2:16**
social worker, treatment by, **§ 2:17**
social worker, treatment by, **§ 2:17**
treatment dissolute issues under Lab. Code § 4062, **§ 2:42**
utilization review
Labor Code § 4610, **§ 2:43**
making and communicating utilization decisions, requirements for, **§ 2:44**
value, **§ 2:6**
Follow-up letter to treating physician and enclosure, form, **§ 2:77, 2:78**

MEDICAL TREATMENT —Cont'd
Forms
generally, **§ 2:71 to 2:83**
denial of benefits, letter to carrier, **§ 2:74**
designated physician, petition for order requiring employee to select, **§ 2:73**
employee rights, notice of, **§ 2:71**
medical issues, treating physician's determination, **§ 2:81**
permanent and stationary report, primary treating physician's [PR-3], **§ 2:83**
physicians
designated physician, petition for order requiring employee to select, **§ 2:73**
follow-up letter to treating physician and enclosure, **§ 2:77, 2:78**
letter to treating physician and enclosure, **§ 2:75, 2:76**
lien claim, letter and instructions on filing, **§ 2:79, 2:80**
medical issues, treating physician's determination, **§ 2:81**
MPN physician, designation of, **§ 6:77**
permanent and stationary report, primary treating physician's [PR-3], **§ 2:83**
predesignation of physician, **§ 2:72**
progress report, primary treating physician's [PR-2], **§ 2:82**
predesignation of physician, **§ 2:72**
progress report, primary treating physician's [PR-2], **§ 2:82**

MEDICAL TREATMENT —Cont'd
Information sources for physicians, **§ 2:2**
Injury from, **§ 1:54**
Letter to treating physician and enclosure, **§ 2:75, 2:76**
Lien claim, letter to physician and instructions on filing, **§ 2:79, 2:80**
Medical issues, treating physician's determination, form, **§ 2:81**
Medical provider networks
Generally, **§ 2:61 to 2:70, 6:17**
approval process, **§ 2:68**
choice of treating physician, **§ 2:63**
continuity of care, **§ 2:67**
economic profiling, **§ 2:66**
governing law, **§ 2:61**
independent medical review, **§ 2:64**
letter designating treating physician from MPN list, **§ 6:54, 6:77**
network modification, **§ 2:69**
qualifications, **§ 2:68**
scope of medical treatment, **§ 2:62**
suspension or revocation, **§ 2:70**
transfer of care into MPN, **§ 2:65**
Permanent and stationary report, primary treating physician's [PR-3], form, **§ 2:83**
Physicians
Employee not covered by contract with health care organization, above
Forms, above
information sources for physicians, **§ 2:2**
medical provider networks, choice of treating physician, **§ 2:63**
Progress report, primary treating physician's [PR-2], **§ 2:82**

MEDICAL TREATMENT —Cont'd
Reform of 2012, extent and scope, **§ 2:1**
Reforms of 2003 and 2004, effect on extent and scope of medical treatment to be provided, **§ 2:1**
Utilization review
generally, **§ 6:18**
Employee not covered by contract with health care organization, above
notice of UR denial to client and treating physician, **§ 6:78, 6:79**

MEDICARE
Set-aside, advising applicant, **§ 6:25**

MILITARY PERSONNEL
Average weekly earnings, state military personnel, **§ 4:34**

MINORS
Average weekly earnings, permanently incapacitated minor employees, **§ 4:26**
False representation of age, **§ 5:31**
Penalties, illegal employment of minors, **§ 5:30, 5:31**

MISCONDUCT
Penalties (this index)

NEW AND FURTHER DISABILITY
Supplemental Proceedings (this index)

NEWLY DISCOVERED EVIDENCE
Reconsideration, statutory grounds, **§ 10:5**

NONPROFIT AGENCIES
Volunteers, **§ 1:34**

NOTICE
Attorney for Applicant (this index)

NOTICE—Cont'd
Claims Procedures (this index)
Injury, notice of
employee not covered by contract with health care organization, **§ 2:8**
time limits, **§ 1:77**
Tort actions against third parties, **§ 16:17**
Vocational Rehabilitation (this index)

OFFICE OF BENEFIT ASSISTANCE AND ENFORCEMENT
Generally, **§ 1:15**

OFFICE OF BENEFIT DETERMINATION
Generally, **§ 1:15**

PANEL PROCEDURE
Reform of 2012, comments, **§ 8:22**

PARTIES
Joinder and dismissal of proper parties, **§ 8:16**
Reconsideration, **§ 10:7**
Tort actions against third parties, **§ 16:3**
Writ of review, **§ 11:13**

PARTNERS
Average weekly earnings, **§ 4:33**

PAYMENTS
Claims Procedures (this index)
Computation of Temporary and Permanent Disability (this index)
Death Benefits (this index)
Delayed or refused. Penalties (this index)

PEACE OFFICERS
Law Enforcement Personnel (this index)

PENALTIES
Generally, **§ 5:1 to 5:36**

PENALTIES—Cont'd
Forms, **§ 5:32 to 5:36**
Actual vs. constructive knowledge, serious and willful misconduct, **§ 5:6**
Causation, serious and willful misconduct, **§ 5:3**
Delays. Payment delayed or refused, below
Discrimination against injured employees
generally, **§ 5:20 to 5:26**
amount of increased compensation, **§ 5:21**
justification for discrimination, **§ 5:23**
petition for award of increased compensation (Lab. Code § 132, subd. (a)), **§ 5:35**
policy against discrimination, **§ 5:20**
procedure, **§ 5:26**
prohibited discrimination, **§ 5:22**
settlement of claim, **§ 7:16**
statute, discrimination permitted by, **§ 5:25**
time of discrimination and injury, **§ 5:24**
Forms
generally, **§ 5:32 to 5:36**
discrimination, petition for award of increased compensation (Lab. Code § 132, subd. (a)), **§ 5:35**
medical-legal expenses, petition for penalty for failure to pay (Lab. Code § 4622), **§ 5:36**
penalty, petition for (Lab. Code § 5814), **§ 5:34**
serious and willful misconduct by employer, application for increased compensation and answer (Lab. Code § 4553), **§ 5:32, 5:33**
Medical-legal expenses, petition for penalty for failure to pay (Lab.

PENALTIES—Cont'd
Code § 4622), **§ 5:36**
Minors, illegal employment
false representation of age, **§ 5:31**
increased compensation, **§ 5:30**
Misconduct. Serious and willful misconduct, below
Nature of penalties, **§ 5:1**
Payment delayed or refused
generally, **§ 5:13 to 5:19**
amount to which penalty applies, **§ 5:14**
compensation from Uninsured Employers Fund, **§ 5:18**
existence and reasonableness of delay, **§ 5:15**
governing law, **§ 5:13**
insolvency of insurer, **§ 5:19**
medical-legal expenses, petition for penalty for failure to pay (Lab. Code § 4622), **§ 5:36**
minor delinquencies, **§ 5:17**
multiple and successive penalties, **§ 5:16**
Petition for penalty, **§ 5:34**
Pleadings, **§ 5:12**
Safe employment, violation of duty to provide, **§ 5:7**
Safety order, violation of, **§ 5:8**
Securing payment of compensation, failure
generally, **§ 5:27 to 5:29**
duty to secure payment, **§ 5:27**
increased compensation, **§ 5:28**
penalty inapplicable, **§ 5:29**
Serious and willful misconduct
generally, **§ 5:2 to 5:12**
actual vs. constructive knowledge, **§ 5:6**
causation, **§ 5:3**
employers and designated representatives engaging in, **§ 5:9**
governing law, **§ 5:2**

PENALTIES—Cont'd
Serious and willful misconduct —Cont'd
increased compensation, application and answer (Lab. Code § 4553), **§ 5:32, 5:33**
insurance covering misconduct, **§ 5:4**
pleadings, **§ 5:12, 5:32, 5:33**
safe employment, violation of duty to provide, **§ 5:7**
safety order, violation of, **§ 5:8**
settlement of claim, **§ 7:16**
statute of limitations, **§ 5:11**
temporary vs. permanent conditions, **§ 5:10**
what constitutes
generally, **§ 5:5 to 5:8**
actual vs. constructive knowledge, **§ 5:6**
safe employment, violation of duty to provide, **§ 5:7**
safety order, violation of, **§ 5:8**
who must engage in misconduct
employers and designated representatives, **§ 5:9**
temporary vs. permanent conditions, **§ 5:10**
Statute of limitations, **§ 5:11**
Temporary vs. permanent conditions, **§ 5:10**
Willful misconduct. Serious and willful misconduct, above

PERMANENT DISABILITY
Computation of Temporary and Permanent Disability (this index)

PERSONAL ACTIVITIES
Injury during, **§ 1:60**

PHYSICIANS
Treating Physicians (this index)

PLEADINGS
Serious and willful misconduct, **§ 5:12**
Tort Actions Against Employers (this index)

POSTTRIAL PROCEDURE
Hearing Procedure (this index)

PREEXISTING DISEASE OR CONDITION
Death benefits, effect of preexisting disease, **§ 3:4**
Industrial aggravation, **§ 1:53**
Permanent disability, apportionment of, aggravation of preexisting disease, **§ 4:10**

PRESUMPTIONS
Compensability, **§ 8:10**
Conclusive presumptions, **§ 9:41**
Dependency, death benefits, **§ 3:19**
Employment, **§ 1:26**
Public employees, presumption of industrial causation, **§ 1:71**
Rebuttable presumptions, **§ 9:42**

PRETRIAL CONFERENCE
Hearing procedure, **§ 9:7**

PRIOR INJURIES
Computation of Temporary and Permanent Disability (this index)
Post-termination claims for prior injuries, **§ 1:42**

PRISON INMATES
Average weekly earnings, computation of, **§ 4:31**

PRIVACY
Public records, **§ 1:4**

PROBATIONERS
Employment relationship, **§ 1:36**

PRODUCTS LIABILITY
Exclusive remedy rule, **§ 15:13**

PROHIBITION, WRIT OF
Generally, **§ 11:4**

PSYCHIATRIC INJURY
Generally, **§ 1:70**

PUBLIC AGENCIES
Volunteers, **§ 1:34**

PUBLIC EMPLOYEES
Death Benefits (this index)
Health benefits, special, **§ 1:76**
Industrial causation, presumption of, **§ 1:71**
Leave of absence, paid, **§ 1:73**
Presumptions and special benefits
generally, **§ 1:71 to 1:76**
application of presumption to specified conditions and employees, **§ 1:72**
health benefits, special, **§ 1:76**
industrial causation, presumption of, **§ 1:71**
paid leave of absence, **§ 1:73**
scholarships for dependents of peace and firefighters, **§ 1:75**
Scholarships for specified dependents, **§ 1:75, 3:27**

PUBLIC OFFICIALS
Death Benefits (this index)

PUBLIC RECORDS
Privacy, **§ 1:4**

PUBLIC SAFETY OFFICERS
Law Enforcement Personnel (this index)

PURPOSE AND POLICY
Workers' compensation laws, **§ 1:1**

QUESTIONNAIRE
Initial client interview, **§ 6:3, 6:30**

RATING
Claims Procedures (this index)

READINESS
Declarations of readiness. Hearing Procedure (this index)

RECONSIDERATION
Generally, **§ 10:1 to 10:36**
Forms, **§ 10:32 to 10:36**
Additional evidence, grant for, **§ 10:25**
Answer, **§ 10:12, 10:34**
Assignment to panel, **§ 10:20**
Board acted in excess of powers, statutory grounds, **§ 10:2**
Board action
- generally, **§ 10:18 to 10:27**
- assignment to panel, **§ 10:20**
- denial or grant with decision after reconsideration, **§ 10:24**
- dismissal, **§ 10:23**
- evidentiary standards, **§ 10:22**
- grant for additional evidence, **§ 10:25**
- grant on board notice, **§ 10:26**
- overview, **§ 10:18**
- successive petitions, **§ 10:27**
- time frame, **§ 10:21**
- WCJ and petition for reconsideration, **§ 10:19**
- who's who at the Board, **§ 10:18**

Checklist, **§ 10:31**
Condition precedent to judicial review, **§ 11:6**
Denial or grant with decision after reconsideration, **§ 10:24**
Dismissal, **§ 10:23**
Effects of reconsideration
- generally, **§ 10:28 to 10:30**
- interest, **§ 10:29**
- multi-party cases, **§ 10:30**
- stay, **§ 10:28**

Evidence does not justify findings, **§ 10:4**
Evidentiary standards, **§ 10:22**
Exhibits, **§ 10:17**
Filing at proper office, **§ 10:9**

RECONSIDERATION—Cont'd
Final order, decision or award, what is, **§ 10:8**
Findings of fact do not support decision, **§ 10:6**
Forms
- generally, **§ 10:32 to 10:36**
- answer to petition, **§ 10:34**
- order denying reconsideration and incorporating WCJ's report, **§ 10:35**
- petition for reconsideration, **§ 10:33**
- petition for reconsideration, DWC/WCAB FORM 45, **§ 10:32**
- report and recommendation on petition for reconsideration, **§ 10:36**

Fraud, statutory grounds, **§ 10:3**
Grant for additional evidence, **§ 10:25**
Grant on board notice, **§ 10:26**
Interest, **§ 10:29**
Judicial review, condition precedent, **§ 11:6**
Multi-party cases, **§ 10:30**
Newly discovered evidence, **§ 10:5**
Order denying reconsideration and incorporating WCJ's report, **§ 10:35**
Parties, **§ 10:7**
Petition
- generally, **§ 10:13 to 10:17**
- detail, **§ 10:14**
- exhibits, **§ 10:17**
- forms, **§ 10:33**
- forms, DWC/WCAB FORM 45, **§ 10:32**
- overview, **§ 10:13**
- specificity, **§ 10:14**
- successive petitions, **§ 10:27**
- transcripts, requests for, **§ 10:16**
- waiver of issue not addressed, **§ 10:15**

RECONSIDERATION—Cont'd
Petition—Cont'd
WCJ and petition for reconsideration, **§ 10:19**
Proper office, filing at, **§ 10:9**
Report and recommendation on petition for reconsideration, **§ 10:36**
Service, **§ 10:10**
Statutory grounds
generally, **§ 10:1 to 10:6**
board acted in excess of powers, **§ 10:2**
evidence does not justify findings, **§ 10:4**
findings of fact do not support decision, **§ 10:6**
fraud, **§ 10:3**
newly discovered evidence, **§ 10:5**
overview, **§ 10:1**
Stay, **§ 10:28**
Time frame for board action, **§ 10:21**
Time limits, **§ 10:9**
Transcripts, requests for, **§ 10:16**
Waiver of issue not addressed in petition, **§ 10:15**
Who can file, **§ 10:7**
Who is ''aggrieved,'' **§ 10:8**

RECREATIONAL ACTIVITIES
Injuries arising from, **§ 1:47**

REFORMATION
Workers' compensation insurance policy, **§ 1:12**

REFORM OF 2012
Extent and scope of medical treatment required, **§ 2:1**
Medical evaluations, **§ 6:90**
Overview, **§ 1:3.50**
Panel procedure, comments, **§ 8:22**

REHABILITATION UNIT
Vocational Rehabilitation (this index)

REHEARING
Judicial review, **§ 11:25**

REOPENING
Supplemental Proceedings (this index)

REQUESTS
Supplemental job displacement vouchers, **§ 6:14**

RESTITUTION
Proceedings to obtain, **§ 13:30**

REVIEW, WRIT OF
Judicial Review (this index)

SCHOLARSHIPS
Dependents of specified public employees, **§ 1:75, 3:27**

SEA, LONGSHORE, AND HARBOR WORKERS
Federal remedies, **§ 1:25**

SECURING PAYMENT OF COMPENSATION
Failure to secure, penalties, **§ 5:27 to 5:29**

SEIZURES
Injuries following, **§ 1:52**

SELF-INFLICTED INJURY
Conditions of compensation, **§ 1:44**

SELF-INSURERS' SECURITY FUND
Generally, **§ 1:7**

SERIOUS AND WILLFUL MISCONDUCT
Penalties (this index)

SERVICE
Final determinations, **§ 9:51**
Mail, service by, declaration, **§ 6:36**
Reconsideration, **§ 10:10**
Reports and records, duty to file and serve, **§ 9:39**

SERVICE—Cont'd
Settlement documents, **§ 7:18**
Tort actions against third parties, service of complaint, **§ 16:1**
Writ of review, pleadings, **§ 11:19, 11:21**

SETTLEMENT
Generally, **§ 6:21 to § 6:27, 7:1 to 7:31**
Forms, **§ 6:64 to 6:69, 7:23 to 7:31**
Advantages, **§ 6:21**
Advising applicant
generally, **§ 6:24**
Medicare set-aside, **§ 6:25**
Approval, **§ 6:27, 6:69, 7:19**
Attorneys' fees, **§ 7:22**
Compromise and release
generally, **§ 7:2**
death benefits, **§ 3:17, 3:35**
Forms, below
third party compromise and release, **§ 7:9**
valuation and other strategic considerations, **§ 7:6**
Computing offer
changes in rating schedule, effect of, **§ 6:23**
panel procedure, effect of, **§ 6:22**
Conferences. Mandatory settlement conferences, below
Considerations in settling claims
generally, **§ 7:5 to 7:13**
death benefit claims, **§ 7:10**
effect of settlement, **§ 7:13**
lien claims, **§ 7:12**
multiple injuries, cases involving, **§ 7:11**
selecting settlement options, **§ 7:5**
third party action, **§ 7:8**
third party compromise and release, **§ 7:9**
valuation and other strategic considerations, compromise and release agreement, **§ 7:6**

SETTLEMENT—Cont'd
Considerations in settling claims —Cont'd
vocational rehabilitation, **§ 7:7**
Death benefits, **§ 3:17, 3:25, 7:10**
Discrimination alleged, **§ 7:16**
Documenting settlement
generally, **§ 7:14 to 7:17**
discrimination alleged, **§ 7:16**
execution of agreement, **§ 7:17**
filing and service of documents, **§ 7:18**
letters explaining, **§ 6:66, 6:67**
matters to be included, **§ 7:15**
overview, **§ 7:14**
preparing and executing, **§ 6:26**
serious and willful misconduct alleged, **§ 7:16**
Execution of agreement, **§ 7:17**
Filing and service of documents, **§ 7:18**
Forms
generally, **§ 6:64 to 6:69, 7:23 to 7:31**
acceptance of defendant's offer, letter recommending, **§ 6:65**
approval of settlement by WCJ, request for, **§ 6:69**
compromise and release
DWC-CA Form 10214 (c), **§ 7:24**
DWC-CA Form 10214 (d), **§ 7:25**
Rodgers waiver, **§ 7:26**
Sumner waiver, **§ 7:29**
third party tort action, WCAB Forms 15, **§ 16:44**
third party tort action, WCAB Forms 17 and 67, **§ 16:49**
Thomas waiver, **§ 7:27, 7:28**
WCJ's findings and supporting order, **§ 7:31**
explanation of documents, letters, **§ 6:66, 6:67**

SETTLEMENT—Cont'd
Forms—Cont'd
proposal letter from applicant's counsel to insurer, **§ 6:64**
Rodgers waiver, **§ 7:26**
stipulations with request for award and award, DWC WCAB Form 10214 (a), **§ 7:23**
Sumner waiver, **§ 7:29**
Thomas waiver, **§ 7:27, 7:28**
transmittal of documents to insurer, letter, **§ 6:68**
Hearing, **§ 6:28, 7:20**
Lien Claims (this index)
Mandatory settlement conferences
generally, **§ 9:9 to 9:11**
application filed after December 31, 1993, **§ 9:11**
application filed before December 31, 1993, **§ 9:10**
Matters to be included, **§ 7:15**
Medicare set-aside, advising applicant, **§ 6:25**
Methods of settlement
generally, **§ 7:1 to 7:4**
compromise and release, **§ 7:2**
overview, **§ 7:1**
partial settlements, **§ 7:4**
stipulations with request for award, **§ 7:3**
Multiple injuries, cases involving, **§ 7:11**
Overview, **§ 7:1**
Partial settlements, **§ 7:4**
Release. Compromise and release, above
Rodgers waiver, **§ 7:26**
Serious and willful misconduct alleged, **§ 7:16**
Service of documents, **§ 7:18**
Setting aside, **§ 7:21**
Stipulations with request for award and award, DWC WCAB Form 3 (Lab. Code § 5702), **§ 7:3**

SETTLEMENT—Cont'd
Stipulations with request for award and award, DWC WCAB Form 10214 (a), **§ 7:23**
Sumner waiver, **§ 7:29**
Third party action, considerations applicable to, **§ 7:8**
Thomas waiver, **§ 7:27, 7:28**
Tort Actions Against Third Parties (this index)
Valuation and other strategic considerations, compromise and release agreement, **§ 7:6**
Vocational rehabilitation, considerations applicable to, **§ 7:7**
Voiding, **§ 7:21**

SOCIAL ACTIVITIES
Injuries arising from, **§ 1:47**

SPECIAL MISSION EXCEPTION
Going and coming rule, **§ 1:63**

SPECIAL RISK EXCEPTION
Going and coming rule, **§ 1:65**

SPINAL SURGERY
Postreform determination of medical issues, **§ 8:25**

SPORTS
Athletics (this index)

STATE COMPENSATION INSURANCE FUND
Insurance carriers and, **§ 1:6**

STATUTE OF LIMITATIONS
Limitation of Actions (this index)

STAY
Award, collection and enforcement, stay of execution, **§ 9:56**
Board's order, decision or award, **§ 11:20**
Reconsideration, **§ 10:28**

SUBPOENAS
Forms, DWC WCAB 30, **§ 9:66**
Forms, DWC WCAB 32, **§ 9:67**
Records, deposition and subpoena, **§ 6:20**

SUBROGATION
Tort Actions against Third Parties (this index)

SUBSEQUENT INJURY FUND
Supplemental Proceedings (this index)

SUICIDE
Conditions of compensation, **§ 1:44**

SUPPLEMENTAL JOB DISPLACEMENT VOUCHERS
Requests, **§ 6:14**

SUPPLEMENTAL PROCEEDINGS
Generally, **§ 13:1 to 13:40**
Forms, **§ 13:33 to 13:40**
Appeals Board action on petition to reopen, **§ 13:16**
Benefits commutable, **§ 13:17**
Board's authority to reopen, actions subject to, **§ 13:7**
Checklist, filing petitions for supplemental relief, **§ 13:32**
Commutation of award
generally, **§ 13:17 to 13:23**
benefits commutable, **§ 13:17**
conditions warranting, **§ 13:18**
lump sums
determining amount, **§ 13:20**
payment, receipt and certificate, **§ 13:23**
periodic benefits, commutation to lump sum, **§ 13:17**
partial commutation to satisfy lien, **§ 13:22**
periodic benefits, commutation to lump sum, **§ 13:17**
petitions, objection, and order, **§ 13:19, 13:35 to 13:37**

SUPPLEMENTAL PROCEEDINGS—Cont'd
Commutation of award—Cont'd
procedure, **§ 13:19**
uninsured employer, **§ 13:21**
Continuing jurisdiction, **§ 13:2**
Contribution (this index)
Credit, proceedings to obtain, **§ 13:30**
Employment findings excluded from power to reopen, **§ 13:8**
Five-year rule, **§ 13:2**
Forms
generally, **§ 13:33 to 13:40**
commutation of future benefits, petitions and order, **§ 13:35 to 13:37**
new and further disability benefits, petition, **§ 13:34**
reopening for good cause, petition, WCAB Form 42, **§ 13:33**
Subsequent Injury Fund benefits, application, **§ 13:38**
Good cause
generally, **§ 13:4**
petition to reopen, WCAB Form 42, **§ 13:33**
prior Board action required, **§ 13:6**
requirement and meaning, **§ 13:5**
time limits on filing petition, **§ 13:9**
Lien, partial commutation to satisfy, **§ 13:22**
New and further disability, reopening and claims for
generally, **§ 13:3 to 13:16**
Board's authority to reopen, actions subject to, **§ 13:7**
employment findings excluded from power to reopen, **§ 13:8**
Good cause, above
meaning of ''new and further disability,'' **§ 13:11**
Petitions, below

SUPPLEMENTAL PROCEEDINGS—Cont'd
New and further disability, reopening and claims for—Cont'd
reopening to claim new and further disability benefits, **§ 13:10**
response to petition to reopen, **§ 13:15**
summary dismissal, grounds for, **§ 13:15**
Time limits, below
vocational rehabilitation services, reopening to claim, **§ 13:13**
Periodic benefits, commutation to lump sum, **§ 13:17**
Petitions
Appeals Board action on petition to reopen, **§ 13:16**
checklist, **§ 13:32**
commutation of future payments, **§ 13:19, 13:35**
commutation of future payments, DCW Form 49, **§ 13:36**
forms, **§ 13:33 to 13:36**
reopening, drafting and serving petition, **§ 13:14**
Removal to Board, **§ 13:31**
Reopening. New and further disability, reopening and claims for, above
Response to petition to reopen, **§ 13:15**
Restitution, proceedings to obtain, **§ 13:30**
Subsequent Injury Fund compensation
generally, **§ 13:24**
application for compensation, **§ 13:27, 13:38**
award and compensation from Fund, **§ 13:26**
requirements, **§ 13:25**
time limits, **§ 13:27**
Summary dismissal, grounds for, **§ 13:15**

SUPPLEMENTAL PROCEEDINGS—Cont'd
Time limits
new and further disability claims, **§ 1:80, 13:9, 13:12**
reopening for good cause, **§ 13:9**
Subsequent Injury Fund, application for compensation, **§ 13:27**

TAXES
Lien claims, **§ 12:11**

TEMPORARY DISABILITY
Computation of Temporary and Permanent Disability (this index)

TERMINATION OF EMPLOYMENT
Injuries arising from, **§ 1:55**

TESTIMONY
Hearing Procedure (this index)

TIME LIMITS
Generally, **§ 1:77 to 1:87**
Claim form, filing and response, **§ 1:78**
Commencement of proceedings to collect benefits, **§ 1:79**
Contribution, petition for, **§ 1:83**
Date of injury for purposes of time limits, **§ 1:85**
Death Benefits (this index)
Discrimination by employer, **§ 1:84**
Extension of time limits, **§ 1:86**
Misconduct, serious and willful, **§ 1:84**
New and further disability claims, **§ 1:80, 13:12**
Notice of injury and response, **§ 1:77**
Reconsideration, **§ 10:9**
Reopening. Supplemental Proceedings (this index)
Vocational rehabilitation request, new and further disability, five year limitation, **§ 1:81**
Waiver and estoppel, **§ 1:87**
Writ of review, **§ 11:14**

TORT ACTIONS AGAINST EMPLOYERS
Generally, **§ 15:1 to 15:30**
Damages, **§ 15:22**
Exclusive Remedy Rule (this index)
Jurisdiction, **§ 15:18**
Pleadings
defendant's, **§ 15:20**
plaintiff's, **§ 15:19, 15:23**
Statute of limitations, **§ 15:21**

TORT ACTIONS AGAINST INSURERS
Conduct outside proper role of insurer, **§ 15:30**
Exclusive jurisdiction of WCAB, **§ 15:29**

TORT ACTIONS AGAINST OTHER EMPLOYEES
Generally, **§ 15:24 to 15:28**
Employees of different employers, **§ 15:28**
Exclusive remedy rule and statutory exceptions, **§ 15:24, 15:25**
Government employees, **§ 15:28**
Indemnity, **§ 15:26**
Liability of employee and employer, **§ 15:26**
Scope of employment, **§ 15:27**

TORT ACTIONS AGAINST THIRD PARTIES
Generally, **§ 16:1 to 16:49**
Forms, **§ 16:44 to 16:49**
Attorneys' fees and expenses
generally, **§ 16:40 to 16:43**
active vs. passive counsel, **§ 16:42**
allocation, **§ 16:41**
determination by court, **§ 16:40**
necessity of benefit, **§ 16:43**
priority, **§ 16:40**
Availability of action, **§ 16:1**
BAJI 16.75, **§ 16:49**

TORT ACTIONS AGAINST THIRD PARTIES—Cont'd
Claims statute, compliance with, **§ 16:16**
Comparative fault, **§ 16:28, 16:29**
Compensation, evidence of, **§ 16:26**
Complaint
filing complaint in subrogation, **§ 16:13**
service, **§ 16:1**
time for filing, **§ 16:14**
tolling time for filing, **§ 16:15**
Computation of damages, **§ 16:37**
Consolidation, **§ 16:18**
Damages
generally, **§ 16:35 to 16:39**
computation, **§ 16:37**
items recoverable, **§ 16:35**
joint and several liability, **§ 16:39**
reduction of damages, **§ 16:36**
reimbursement, **§ 16:37**
segregation, **§ 16:38**
Defending third party, **§ 16:28**
generally, **§ 16:28 to 16:34**
comparative fault, **§ 16:28, 16:29**
exclusive remedy rule, **§ 16:32**
failure to give notice of action, **§ 16:30**
fireman's rule, **§ 16:33**
indemnification, **§ 16:34**
statute of limitations, **§ 16:31**
Distinction between employee and employer action, **§ 16:4**
Evaluating case, **§ 16:11, 16:12**
Exclusive remedy rule, **§ 16:32**
Fireman's rule, **§ 16:33**
Forms
generally, **§ 16:44 to 16:49**
BAJI 16.75, **§ 16:49**
compromise and release, WCAB Form 15, **§ 16:44**
compromise and release, WCAB Form 17, **§ 16:49**

TORT ACTIONS AGAINST THIRD PARTIES—Cont'd
Forms—Cont'd
intervention, complaint, declaration and order, **§ 16:45, 16:46**
lien, notice of, **§ 16:48**
subrogation, complaint for, **§ 16:47**
Identifying third party liability, **§ 16:11**
Indemnification, **§ 16:34**
Intervention
generally, **§ 16:18**
complaint, declaration and order, **§ 16:45, 16:46**
employer intervention in employee action, **§ 16:7**
time for intervention, **§ 16:19**
Investigating case, **§ 16:12**
Items recoverable, **§ 16:35**
Joinder, **§ 16:18**
Joint and several liability, **§ 16:39**
Judgment, notice of, **§ 16:27**
Lien, notice of, **§ 16:48**
Maximizing employee recovery, **§ 16:9**
Multiple defendants, settling with one, **§ 16:21**
Nature of action, **§ 16:2**
Notice
generally, **§ 16:17**
failure to give notice of action, **§ 16:30**
judgment, notice of, **§ 16:27**
settlement or impending settlement, **§ 16:23**
Parties to action, **§ 16:3**
Prima facie case, **§ 16:24**
Reduction of damages, **§ 16:36**
Representation, **§ 16:10**
Safety statutes, evidence of, **§ 16:25**
Segregation of damages, **§ 16:38**
Settling the action
generally, **§ 16:20 to 16:23**

TORT ACTIONS AGAINST THIRD PARTIES—Cont'd
Settling the action—Cont'd
compensation claim, effect of settlement of, **§ 16:22**
multiple defendants, settling with one, **§ 16:21**
notice of settlement or impending settlement, **§ 16:23**
tortfeasor, release or settlement with, **§ 16:20**
Statute of limitations defense, **§ 16:31**
Subrogation rights, employer's
generally, **§ 16:5 to 16:8**
complaint in subrogation, **§ 16:13, 16:47**
employer intervention in employee action, **§ 16:7**
employer's action against third party, **§ 16:6**
employer's lien, **§ 16:8**
overview, **§ 16:5**
Time for filing complaint, **§ 16:14, 16:15**
Tolling time for filing complaint, **§ 16:15**
Tortfeasor, release or settlement with, **§ 16:20**

TRAFFIC OFFENDERS
Employment relationship, **§ 1:36**

TREATING PHYSICIANS
Attorney for applicant, notifying treating physician, **§ 6:13**
Failure to provide adequate reports, letter notifying employer of duty to contact, **§ 4:50**
Ghostwriting restrictions, **§ 8:34**
Medical determinations, letter objecting to, **§ 6:58**
Medical Treatment (this index)
MPN list, letter designating physician from, **§ 6:54**
Referral restrictions, **§ 8:33**

TREATING PHYSICIANS —Cont'd
Vocational rehabilitation, treating physician's determination of medical eligibility, **§ 14:31**

TRIAL
Hearing Procedure (this index)
Notice to client
generally, **§ 6:72**
new trial date, **§ 6:74**

TYPES OF INJURIES
Generally, **§ 1:68 to 1:70**
Definition of injury, **§ 1:68**
Occupational and other compensable disease, **§ 1:69**
Psychiatric injury, **§ 1:70**
Specific and cumulative injury, **§ 1:69**

UNAUTHORIZED ACTS
Course of employment, **§ 1:59**

UNEMPLOYMENT BENEFITS
Lien claims, **§ 12:8, 12:24**

UNINSURED EMPLOYERS FUND
Generally, **§ 1:9**
Collection and enforcement of award, **§ 9:57**
Payment delayed or refused, compensation from Fund, **§ 5:18**

UTILIZATION REVIEW
Medical Treatment (this index)

VENUE
Claims Procedures (this index)
Hearing procedure, **§ 9:5**

VERIFICATION OF PETITION
Reconsideration, **§ 10:11**
Writ of review, **§ 11:17**

VOCATIONAL REHABILITATION
Generally, **§ 14:1 to 14:71**

VOCATIONAL REHABILITATION—Cont'd
Forms, **§ 14:51 to 14:71**
Additional services
employee injured before 1994, **§ 14:28**
employee injured on or after January 1, 1994, and before 2004, **§ 14:29**
Advisory committee, **§ 14:41**
Appeal of determination of Rehabilitation Unit, **§ 14:39, 14:63**
Applicability of law, **§ 14:1**
Attorney activity, record of, **§ 14:68**
Attorneys' fees
generally, **§ 14:50**
Forms, below
Case initiation document, DWC Form RU-101, **§ 14:54**
Change of representative, **§ 14:16, 14:25**
Commutation of services, **§ 14:40**
Conferences, **§ 14:38**
Continuing jurisdiction, **§ 14:47**
Cooperation, employee's failure, **§ 14:23**
Declination of rehabilitation, **§ 14:7, 14:21, 14:58**
Deferral of services, **§ 14:17, 14:26, 14:36**
Definitions, **§ 14:3**
Denial of vocational rehabilitation services, DWC Form RU-500-Y, **§ 14:61**
Dispute resolution, request for, DWC Form RU-103, **§ 14:56**
Employee's rights and duties
generally, **§ 14:19 to 14:29**
additional services, **§ 14:28, 14:29**
declining services, **§ 14:21**
deferral of services, **§ 14:26**
employee's failure to cooperate, **§ 14:23**

VOCATIONAL REHABILITATION—Cont'd
Employee's rights and duties —Cont'd
employer's failure to comply, **§ 14:22**
injury during rehabilitation, **§ 14:20**
interruption of services, **§ 14:26**
plan, development of, **§ 14:24**
representative, change of, **§ 14:25**
right to rehabilitation and other benefits, **§ 14:19**
termination of rehabilitation services, **§ 14:27**
Employer's rights and duties
generally, **§ 14:6 to 14:18**
contested eligibility, during, **§ 14:12**
declination of rehabilitation, **§ 14:7**
deferral of services, **§ 14:17**
ineligibility, on determination of, **§ 14:13**
interruption of services, **§ 14:17**
medical eligibility
on determination, **§ 14:11**
pending determination, **§ 14:10**
notice of rights, **§ 14:9**
plan
development of, **§ 14:14**
preferred plan, reward for development of, **§ 14:15**
preferred plan, reward for development of, **§ 14:15**
provision of rehabilitation services, **§ 14:6**
qualified rehabilitation representative
assignment of, **§ 14:8**
change of representative, **§ 14:16**

VOCATIONAL REHABILITATION—Cont'd
Employer's rights and duties —Cont'd
termination of employer's liability, **§ 14:18**
Failure to comply, employer's, **§ 14:22**
Fee schedule, **§ 14:49**
File retention by Rehabilitation Unit, **§ 14:48**
Forms
generally, **§ 14:51 to 14:71**
appeal of determination and order of Rehabilitation Unit, **§ 14:63**
attorney activity, record of, **§ 14:68**
attorneys' fees
letter transmitting petition for, **§ 14:69**
rehabilitation attorneys' fees, petition and order, **§ 14:70, 14:71**
request for withholding, **§ 14:67**
case initiation document, DWC Form RU-101, **§ 14:54**
declination of vocational rehabilitation services, employee statement, DWC Form RU-107-A, **§ 14:58**
denial of vocational rehabilitation services, DWC Form RU-500-Y, **§ 14:61**
dispute resolution, request for, DWC Form RU-103, **§ 14:56**
DWC forms, **§ 14:51 to 14:63**
interruption of benefits, request for, **§ 14:65**
job duties, description of, DWC Form RU-91, **§ 14:52**
maintenance allowance, intent to withhold, DWC Form RU-500-Z, **§ 14:62**

VOCATIONAL REHABILITATION—Cont'd
Forms—Cont'd
modified or alternate work, notice of offer, DWC Form RU-94, **§ 14:53**
potential eligibility, notice of, DWC Form RU-500-W, **§ 14:59**
reminder notice, DWC Form RU-500-X, **§ 14:60**
status of rehabilitation program, letter regarding, **§ 14:64**
termination of rehabilitation services, notice of, DWC Form RU-105, **§ 14:57**
treating physician's report of disability status, DWC Form RU-90, **§ 14:51**
vocational rehabilitation plan, DWC Form RU-102, **§ 14:55**
VRTD or VRMA information, letter requesting, **§ 14:66**
Forms, notices, and reports
reproduction of forms and notices, **§ 14:44**
requirements for, **§ 14:42**
Independent vocational evaluator, **§ 14:32**
Injury during rehabilitation, **§ 14:20**
Insurers' charges, restrictions on, **§ 14:5**
Interruption of services, **§ 14:17, 14:26, 14:36, 14:65**
Job duties, description of, DWC Form RU-91, **§ 14:52**
Maintenance allowance, intent to withhold, DWC Form RU-500-Z, **§ 14:62**
Medical eligibility, treating physician's determination, **§ 14:31**
Modified or alternate work, notice of offer, DWC Form RU-94, **§ 14:53**
Notice
notice only, requirements relating to, **§ 14:43**

VOCATIONAL REHABILITATION—Cont'd
Notice—Cont'd
potential eligibility, notice of, DWC Form RU-500-W, **§ 14:59**
reminder notice, DWC Form RU-500-X, **§ 14:60**
rights, notice of, **§ 14:9**
termination of rehabilitation services, notice of, **§ 14:57**
Period for requesting rehabilitation benefits, **§ 14:46**
Plan
development of, **§ 14:14, 14:24**
form, DWC Form RU-102, **§ 14:55**
review, **§ 14:34**
Potential eligibility, notice of, DWC Form RU-500-W, **§ 14:59**
Preferred plan, reward for development of, **§ 14:15**
Purpose, **§ 14:2**
Qualified rehabilitation representative
assignment of, **§ 14:8**
change of representative, **§ 14:16, 14:25**
pre-1994 duties, **§ 14:30**
Referral for rehabilitation, restrictions on, **§ 14:4**
Rehabilitation Unit
generally, **§ 14:33 to 14:39**
appeal of determination, **§ 14:39, 14:63**
conferences, **§ 14:38**
deferral of services, **§ 14:36**
disputed issues, **§ 14:35**
file retention, **§ 14:48**
interruption of services, **§ 14:36**
plan review, **§ 14:34**
statutory obligations, **§ 14:33**
termination of rehabilitation services, **§ 14:37**

VOCATIONAL REHABILITATION—Cont'd
Reinstatement of rehabilitation services, **§ 14:45**
Reminder notice, DWC Form RU-500-X, **§ 14:60**
Reopening to claim, **§ 13:13**
Restrictions
insurers' charges, **§ 14:5**
referral for rehabilitation, **§ 14:4**
Right to rehabilitation and other benefits
generally, **§ 14:19**
notice of rights, **§ 14:9**
Settlement or commutation of services, **§ 14:40**
Settling claims, **§ 7:7**
Status of rehabilitation program, letter regarding, **§ 14:64**
Statutory obligations, rehabilitation unit, **§ 14:33**
Termination of employer's liability, **§ 14:18**
Termination of rehabilitation services, **§ 14:27, 14:37, 14:57**
Treating physician
medical eligibility, determination of, **§ 14:31**
report of disability status, DWC Form RU-90, **§ 14:51**
VRTD or VRMA information, letter requesting, **§ 14:66**

VOLUNTEERS
Employment relationship, **§ 1:34, 1:35**

WAGE HISTORY INFORMATION
Letter requesting, **§ 6:39**

WAIVER AND ESTOPPEL
Employers' credit rights, waiver of right to credit, **§ 17:4**
Reconsideration, waiver of issue not addressed in petition, **§ 10:15**

WAIVER AND ESTOPPEL —Cont'd
Review, writ of, waiver of conditions precedent, **§ 11:6**
Time limits, **§ 1:87**

WELFARE
Employment relationship, persons providing services to receive, **§ 1:37**

WORKERS' COMPENSATION ACT
General features, **§ 1:3**
Public records, privacy, **§ 1:4**

WORKERS' COMPENSATION APPEALS BOARD
Generally, **§ 1:14**
Concurrent jurisdiction of Board and California courts, **§ 1:20**
Contempt power, **§ 1:19**
Incidental powers, **§ 1:18**
Judges, **§ 1:14**
Jurisdiction
generally, **§ 1:17**
concurrent jurisdiction of Board and California courts, **§ 1:20**
contempt power, **§ 1:19**
credit rights, employer's, **§ 17:7**
exclusive jurisdiction, **§ 1:21**
incidental powers, **§ 1:18**
jurisdiction to determine jurisdiction, **§ 1:21**
nature and extent, **§ 1:17**

WORKERS' COMPENSATION INSURANCE
Generally, **§ 1:5 to 1:12**
Exclusions, **§ 1:11**
Failure to secure workers' compensation payment, effect of, **§ 1:8**
Policies
exclusions, **§ 1:11**
reformation, **§ 1:12**
scope of coverage, **§ 1:11**

WORKERS' COMPENSATION INSURANCE—Cont'd
Policies—Cont'd
terms required, **§ 1:10**
Reformation of policy, **§ 1:12**
Scope of coverage, **§ 1:11**
Self-Insurers' Security Fund, **§ 1:7**
State Compensation Insurance Fund and insurance carriers, **§ 1:6**
Terms required, **§ 1:10**
Uninsured Employers Fund, **§ 1:9**

WORKERS' COMPENSATION JUDGES
Challenge to assigned WCJ. Hearing Procedure (this index)

WRITS
Habeas corpus, **§ 11:5**
Mandate, **§ 11:3**
Prohibition, **§ 11:4**
Review. Judicial Review (this index)

WRONGFUL TERMINATION
Exclusive remedy rule, **§ 15:16**